

The station officer is personally responsible for all entries in history sheets and these must be made either by him or by a subordinate sub-inspector under his direction.

When a suspect has been convicted of an offence or bound over under sections 109 or 110, C. P. C., and sentenced to imprisonment for six months or more, a line will be drawn in red ink across his history sheet below the last paragraph. Below this red line will then be noted the date of conviction, the nature of the sentence and the probable date of release. When surveillance is discontinued a similar line will be drawn in black ink, the date and number of the Superintendent's order being given below it. Whenever a history sheet is transferred to another police station a line in black ink will similarly be drawn and a brief note of the transfer will be written across the sheet by the officer despatching it.

224. History sheets of both classes may be opened (1) on suspicion or (2) on conviction or acquittal. No history sheet may be opened without the orders of the Superintendent of Police.

(1) *On suspicion.*—Whenever as a result of investigation into a case of dacoity, burglary, cattle theft or theft from railway goods wagons or into a case of miscellaneous crime of a professional type, the officer in charge of a police station applies for the name of any person to be entered in the crime register as reasonably suspected, he must at the same time without fail report whether the suspect is under surveillance and if not, whether a history sheet should in his opinion be opened for him. Should the gazetted officer in charge of a sub-division on receiving such a report and after such further inquiry as he may think necessary consider that a history sheet is required, he will forward the report to the Superintendent of Police who if he accepts the proposal will define the class of history sheet to be opened and pass orders as to whether the suspect should be "starred." Similarly, whenever an officer in charge of a police station finds reason to believe, otherwise than in the course of an investigation, that any resident of his circle is addicted to crime, or whenever a gazetted officer or circle inspector for any reason believes that a history sheet for any person is necessary, a report must be submitted to the Superintendent of Police, who will pass orders on it as laid down above.

(2) *On conviction or acquittal.*—Whenever any person is sent for trial on a charge of dacoity, burglary, cattle theft or theft from railway goods wagons or of miscellaneous crime of a professional type, the officer in charge of the police station must state in his diary whether the accused has a history sheet, and, if not whether he recommends that a history sheet should be opened for him. It will be the duty of the prosecuting inspector, if the accused is acquitted, to inform the Superintendent of Police, in his report on the acquittal, or otherwise, whether in his opinion a history sheet is required. On this the Superintendent of Police will pass any orders to the station officer that may be necessary. If the accused is convicted the prosecuting inspector must, in the remarks column of the daily report of convictions and acquittals (form no. 107) enter in red ink the words "On H. S" if a history sheet is already open, or the letters "H. S." if he recommends that one should be prepared. In either case he must prepare and attach to the daily report of convictions and acquittals a P. R. slip (form no. 313). If a history sheet is already open or if the Superintendent of Police agrees that a history sheet should be opened he will sign this P. R. slip and initial the letters "H.S." or "On H.S." on the daily report of convictions and acquittals. The prosecuting inspector will then communicate the Superintendent's orders for the opening of a history sheet to the police station concerned and will forward the P. R. slip to the Superintendent of the jail. If no history sheet is open and if the Superintendent does not agree that one should be prepared, he will not sign the P. R. slip, which will be cancelled.



Government of the United Provinces

POLICE REGULATIONS

(Corrected up to October 1, 1928.)



ALLAHABAD:

The Superintendent, Government Press, United Provinces

1928

or conviction that a suspect is an active and prominent member of a gang of dacoits, a history sheet of class A should be opened for him and he should be "starred" at once. On the other hand though class A history sheets should as a rule be opened for burglars, cattle-thieves and railway goods train thieves when they first come to notice either on suspicion or on conviction, such suspects should not be "starred" until it has been clearly established by continued suspicion or by a series of convictions that they have become dangerous and confirmed criminals and are unlikely to reform.

When the existence of a gang of criminals is brought to light, history sheets should be opened only for the more prominent members of the gang. The gang register (paragraph 236) should be used as a means of keeping in touch with the minor members of a gang.

The fact that a man has been bound over under section 109, C. P. C., is not in itself sufficient to make the opening of his history sheet necessary. In such cases the previous history of the man and the circumstances of his arrest must be taken into account. On the other hand should a person not on a history sheet be bound over under section 110, C. P. C., his history sheet must be prepared at once.

Superintendents of police must look into cases in which bad characters not on history sheets have been prosecuted under section 110, C. P. C., with a view to discovering how they have previously succeeded in evading the notice of the police.

History sheet should not be opened for persons who have no fixed abode. For the restrictions imposed on the opening of history sheets for members of resilient criminal tribes, the Criminal Tribes Manual should be consulted.

It is more important to open history sheets on conviction than on suspicion and the fact that a convict has been sentenced to a term of imprisonment however long is no reason for not opening his history sheet.

226A. The orders in the three preceding paragraphs apply to juvenile as well as to adult prisoners and suspects but the cases of juveniles should receive specially careful consideration before orders for the preparation of history sheets are passed.

If however on conviction a juvenile offender is sent to the Juvenile Jail at Bareilly he will receive exceptional treatment. His P. R. slip, if one has been prepared will be returned one month before the end of his period of detention, by the Superintendent of the Juvenile Jail to the Superintendent of Police of the district concerned, with the remark that on release the juvenile offender is to be exempted from police surveillance. On receipt of a P. R. slip so endorsed the Superintendent of Police will cause the offender's history sheet to be filed and will issue orders to the station officer concerned that he is to be subjected to no form of surveillance. This mitigation of the rules will not however be accorded to P. R. juvenile offenders of the following classes on release from the Juvenile Jail at Bareilly—

- (a) those convicted for the first time when the offence is dacoity; or
- (b) those whose conduct during detention is considered by the Superintendent of the Juvenile Jail to show that they have not benefitted by the course of reformatory training.

The usual procedure will be followed with regard to P. R. juvenile offenders of these two classes. A month before release in each case the Superintendent of the Juvenile Jail will send the P. R. slip to the Superintendent of Police of the district of residence, with, in the case of a juvenile prisoner of class (b), a report on his behaviour in jail and on release the juvenile ex-convict will be subject to the ordinary rules regarding surveillance.

A record of all extracts from births and deaths registers furnished to the public should be maintained at each police station in the following form : -

Date of application.	Name of the applicant.	Amount of court-fee stamp affixed to the application.	Date of delivery of the extract.

The record will be known as "the register of births and deaths extracts supplied to the public."

307. In villages with a population of or over 5,000 vital statistics should be tested by the officer in charge of the police station.

308. The officer in charge of a station on receiving a report of the death or disappearance of any pensioner shall enter the report in the general diary and shall report the fact, without delay, to the tahsildar who will take steps to verify it.

309. The officer in charge of a police station shall report immediately on receipt of information from a chaukidar or constable the death, while on leave, of any Indian non-commissioned officer or private of the Indian Army. Such information shall be communicated, without delay, by the Superintendent of Police through the District Magistrate to the Officer Commanding the regiment to which the deceased belonged; any official papers given up by the relatives of the deceased shall be forwarded at the same time.

310. In all cases where the police are responsible for the registration of deaths the Superintendent of Police shall report, without delay, to the District Magistrate : -

- (1) For the information of Government the death of any European uncovenanted officer employed in the United Provinces;
- (2) For probate purposes, the death of any person to whom the Administrator-General's Act III of 1913 applies.

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constables to the rank of naik in the civil police is to be made from the list of constables who have passed the literate examination prescribed in paragraph 523 by seniority determined as laid down in that paragraph; that of naiks of the civil police to the rank of head constable, by seniority as determined by dates of confirmation as naik: provided that—

- (1) in either case an undeserving officer may be passed over or a particularly good officer may be promoted out of his turn;
- (2) special consideration should be given to qualified English-knowing constables when promotions are made to the rank of naik.

The promotion of constables to the rank of naik in the armed police will be made by seniority from the list of constables who have obtained the drill certificates prescribed in paragraphs 525 to 529. Seniority among constables who obtained their drill certificates before January 1, 1925, will be determined by the dates of their enlistment, while among those who obtained their certificates after that date it will be determined by the Deputy Inspector-General's touring season (July to April) in which they have been selected for regimental training, and among constables who have been selected in the same touring season, by date of enlistment. The promotion of naiks to the rank of head constable, armed police, will be made by seniority as determined by dates of confirmation in the rank of naik: provided that—

- (1) in either case an undeserving officer may be passed over or a particularly good officer may be promoted out of turn;
- (2) a smart man with good educational qualifications including a practical knowledge of English should be singled out for rapid advancement.

When there is no officer fit for promotion the Superintendent of Police should apply to the Deputy Inspector-General for the transfer of an officer on promotion from another district. Notwithstanding anything contained in this paragraph, bugler constables who have not obtained the drill certificate prescribed in paragraphs 525 to 529 may be promoted to the rank of bugler naik and head constable with the permission of the Deputy Inspector-General of the range.

423. Grade promotions of head constables of the mounted police and of sub-inspectors of the armed and mounted police and permanent promotions of mounted police constables to the rank of head constable, and of armed and mounted police head constables to the rank of sub-inspector are made on a provincial basis by Deputy Inspectors-General of ranges, the names of officers first in order on the appropriate provincial list being circulated to Deputy Inspectors-General whenever a vacancy occurs, the first officer reported as fit by the Deputy Inspector-General of his range being promoted.

424. Temporary vacancies in the rank of head constable, mounted police, and sub-inspector, mounted and armed police, may be filled by the Deputy Inspector-General by the promotion of an approved candidate in his own range. Short leave, vacancies of not more than six weeks in the post of sub-inspector, armed police may be filled by the range Deputy Inspector-General on the recommendation of the Superintendent of Police by the officiating promotion of a local "approved" head constable.

425. On September 1 each year Superintendents of Police will forward to their range Deputy Inspectors-General in form no. 116A separate lists of—

- (1) armed police head constables, and naiks;
- (2) mounted police head constables and
- (3) mounted police constables

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 Chaukidari Act — Sections 3 to 6, 8 to 11 and 13 ;
 Police Act — The whole ;
 Criminal Tribes Act (VI of 1924) — The whole ;
 Station Officer's Handbook; volume I.

(3) A *viva voce* examination in practical knowledge of police work.

(4) A test of literacy in which candidates will be required to read fluently petitions written in the Urdu and Nagri characters and to write in Nagri from dictation. Thirty marks will be allotted for Urdu reading and writing as shown in papers (1) and (2) and 20 marks for Nagri reading and writing.

The full marks allotted to each of the above four tests will be 50. In the first three tests the qualifying minimum will be 25, in reading and writing Urdu 20, and in reading and writing Nagri 10.

A candidate who does not pass in all subjects at two consecutive annual examinations must pass in all subjects again.

Successful candidates will be required to satisfy the Superintendent of Police of their efficiency in platoon drill and musketry and in practical duties such as street lining, carriage parking, relief of guards and sentries and the use of whistles, before their names can be entered in the list of constables qualified for promotion to the rank of naik.

Candidates who fail in drill, musketry, and practical duties may be re-examined in these subjects at any time ; they need not be re-examined in the literate test, provided that they pass in drill, musketry, and practical duties within two years of having passed that test.

524. Seniority on the list of constables fully qualified for promotion to the rank of naik, civil police, shall be determined —

- (1) amongst those who have passed the departmental examination in different years — by the year in which they have passed ;
- (2) amongst those who have passed in the same year — by length of service ; provided that constables who passed on the same date before January 1, 1925, but did not obtain the same number of marks will retain their relative seniority according to the number of marks obtained.

Only the year in which the departmental examination was held will be considered, and the particular date of the year in which a candidate has passed will not affect his seniority.

The date of passing the test of efficiency in drill and practical duties (according to the conditions mentioned above) and the marks obtained in these tests will not be taken into consideration for determining seniority.

Head constables and naiks, armed police.

525. No constable shall be promoted to the rank of naik or head constable, armed police, until he has undergone a course of training with an Indian infantry regiment and obtained a drill certificate in form no. 96 signed by the Adjutant of

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POLICE REGULATIONS.

PART I.

Powers and Duties of Officers.

CHAPTER I.

SUPERIOR OFFICERS.

Inspector-General.

1. The Inspector-General is the head of the police department and the adviser of the Governor in Council on all questions of police administration. As a matter of administrative routine, he is concerned only with gazetted officers, the general allocation of staff and the general distribution of funds, complete responsibility in regard to the non-gazetted staff being delegated to Deputy Inspectors-General, except in regard to the posting, transfer and grant of leave to inspectors in certain cities and stations, and to the posting, transfer and promotion of the clerical staff, which can most conveniently be regulated by him.

Deputy Inspector-General.

2. Each Deputy Inspector-General, except the Deputy Inspector-General in-charge of the Criminal Investigation Department, has a separate range of districts. He is responsible for the efficiency of the police in his range, and must see that a proper level of district administration is maintained. He must always be in close touch with his Superintendents and be ready to aid, advise or control them. He must inspect the work of the Superintendent of each district at least once a year, and prepare an inspection report in the form prescribed. He need not, however, record observations under any of the printed headings of the form except VIII, "Crime Working" and IX, "General", if everything is in order and no action is required, and should mention in his report only such matters as can most suitably be entered there for the guidance of the district staff or the information of his successor. On completing his inspection, he will at once of his own accord take all such action as his powers permit to remedy the defects discovered, and will refer a matter to the Inspector-General only if he considers that the gravity of a defect makes it necessary to bring it to notice, or if some question of principle arises with which he himself has not the power to deal.

3. The Deputy Inspector-General is responsible for the general supervision of crime in his range ; he must see that proper measures are taken to deal with serious outbreaks and must effect co-operation between districts. For this purpose he must keep up registers of (1) dacoity, (2) murder, (3) robbery, (4) poisoning and (5) miscellaneous cases in Inspector-General's form no 138. He will submit to the Inspector-General a monthly report of crime, in which will be included any matters relating to his range of which he considers that the Inspector-General should be informed, and to this will be attached a statement of dacoities giving very brief particulars of each case. He will forward to the Inspector-General only such special reports of crime as in exceptional cases he considers it necessary for him to receive. Superintendents must report direct to the Inspector-General, as well as to the Deputy Inspector-General, matters of a specially important character regarding which Government may require immediate information, e. g., serious

breaches of the peace, collisions between Europeans and Indians, and important matters of a political nature; but, so far as possible, the Deputy Inspector-General will be the channel through which the Inspector-General will receive information. On receipt of district annual administration reports the Deputy Inspector-General must prepare and submit to the Inspector-General a review for the whole of his range, with a note on each case which is important enough to deserve special mention in the provincial report.

Assistant to the Inspector-General, Government Railway Police.

4. The Assistant to the Inspector-General is charge of the Government Railway Police has the powers, duties and responsibilities of a Range Deputy Inspector-General in regard to the railway police sections in his charge.

Commissioner of division.

5. The Commissioner exercises a general power of supervision over the District Magistrates of his division in matters relating to the police, as in other branches of the administration. He has special powers with reference to the allocation of village chaukidars (paragraph 367) and correspondence on certain subjects must pass through his office. When forwarding an application for additional police under section 15 of the Police Act V of 1861 (paragraph 198 of the Office Manual), the Commissioner should consider whether the sum required can be levied without pressing too hardly on the assessees. For his duties regarding the annual administration report see paragraph 71 of the Office Manual.

District Magistrate.

6. The District Magistrate is the head of the criminal administration of the district, and in that capacity controls and directs the action of the police. He has departmental powers in connexion with the punishment of village chaukidars (paragraph 86) and the transfer of station officers (paragraph 491), and may recommend rewards and entries in service and character rolls (paragraph 350 of the Office Manual). Such part of the Superintendent's correspondence with the Inspector-General as relates to buildings, and as concerns or affects the general administration of the district by the District Magistrate as chief executive officer, must pass through the offices of the District Magistrate and Commissioner.

7. The District Magistrate should be promptly informed by the Superintendent of the occurrence of all serious crimes and of any sudden increase in the volume of crime generally, and should receive a fortnightly review of the crime in the district, its localization and causes. Similar reviews of crime generally either fortnightly or monthly will be sent to the Deputy Inspector-General of the range in accordance with range orders. The Superintendent should also keep the Magistrate informed of all events that are of importance from a police point of view, and should frequently seek an opportunity of discussing matters with him personally. When both officers are not at headquarters or on tour together, frequent demi-official correspondence should take the place of oral discussion. If the Superintendent is on tour and the District Magistrate is at headquarters, the police officer in charge at headquarters should give the District Magistrate all important information which might otherwise not reach the Magistrate quickly enough through the Superintendent.

8. The District Magistrate in the exercise of his power of control should avoid doing anything to weaken the Superintendent's authority. Differences of opinion should be adjusted privately and no friction between the two officers should be apparent.

9. The District Magistrate should, if possible, inspect each police station once a year and see that Sub-Divisional Magistrates visit the stations in their sub-divisions and make proper inspections. He must also impress on them that their

duty is two-fold, to support the police in enforcing law and order, and to prevent injustice. He may direct any of his Subordinate Magistrates to inspect police stations, but third class Magistrates should not ordinarily be directed to inspect them unless it is necessary as part of their training. An inspection book with blank pages will be kept at every police station to be used by magistrates. This book must be sent to the Superintendent of Police whenever an inspection note is made in it, and will be forwarded by him to the District Magistrate for information.

10. The sanction of the District Magistrate is necessary to the expunction of a crime from the crime register, except in railway police cases, for the expunction of which the sanction of the Assistant to the Inspector-General of Police in charge of the railway police must be obtained.

11. The powers of a Superintendent or Assistant Superintendent under section 30 of Act V of 1861, in licensing and regulating processions, must be exercised subject to the control of the District Magistrate.

In most places where religious processions and public ceremonies such as the Mohurram are permitted, the route and the procedure to be followed are fixed by custom of long standing or have been prescribed by competent authority. In such cases it is the duty of the police to see that order is kept, and that no deviations are made from the route and procedure hitherto followed or prescribed. If any sections or individual members of the community decline to carry out their processions or ceremonies at the time and in the manner prescribed, they should be informed that they will not be allowed to carry them out after the prescribed time, by any other route or in any other manner.

In special cases not provided for by established custom or existing orders, the police should apply for and follow the instructions of the District Magistrate or, in his absence, of the sub-divisional or other magistrate empowered to pass an order under section 144 of the Code of Criminal Procedure. Where, owing to the absence of a magistrate this is impossible, the officer in charge must use his own discretion, basing his action on previous practice, so far as this can be ascertained.

Superintendent of Police.

12. The Superintendent is the head of the police force of the district; he is responsible for its efficiency and discipline and for the proper performance of its duties. He must see that the orders of courts and other competent authorities are promptly carried out.

All communications between Magistrates and the police force must be conveyed through him; all orders and instructions issued to the police must come from him.

13. The Superintendent when at headquarters should attend his office on all working days. He should ordinarily transact in his office all official business, except such confidential matters as he thinks it proper to dispose of at his residence.

At his residence he should be readily accessible to Indian gentlemen (officials and non-officials) who wish to visit him. He should encourage them to call on him and to communicate their ideas freely. The more sources of information that he has outside the force, the more efficient will he be as a police officer.

He should keep in touch as far as possible with police pensioners of and above the rank of sub-inspector residing in the district.

The Superintendent of Police must see that each police station in his district is fully inspected by a gazetted officer annually, in the manner laid down in the memorandum on the inspection of police stations by gazetted officers, and he must himself visit every police station at least once a year. On the other hand, he must restrict all touring to the minimum necessary for the efficient supervision

of the district staff, and where district headquarters are situated at an important centre, he himself should tour only when it is essential for him to do so.

Touring need not be confined to the cold weather and, when inspection-houses are available, as many outlying police stations as possible should be visited during the hot weather and rains. The Superintendent of Police should himself make a full inspection of each police station at district headquarters in accordance with the memorandum if possible once a year, but in any case at least once in every three years.

NOTE.—There are orders limiting touring, not embodied in the rule as liable to alteration from time to time, which must be observed.

The Superintendent must make an annual inspection of his reserve lines between three and six months after the cold weather inspection of his district by the Deputy Inspector-General. In making this inspection he should be guided by the headings given under head V of the form of district inspection report by Deputy Inspectors General (Police form no. 327). Lines inspection reports should be entered in the English office inspection book.

The personal attendance of the Superintendent of Police at the yearly conference on excise matters is essential.

14. The directions contained in the Manual of Government Orders, regarding the preparation of a confidential memorandum by a district officer giving over charge of a district should be followed by Superintendents of Police. The subjects prescribed for the memorandum should be changed to meet police requirements.

15. The English order book will be written up daily by an officer not below the rank of inspector, and signed daily by the Superintendent or, in his absence, by the officer in charge at headquarters. The Superintendent will, on return to headquarters, examine the entries and certify that he has checked them for the period of his absence. This book will be a permanent record; in it will be entered every executive order concerning the internal economy of the constabulary e.g., orders regarding appointments, punishment, transfers, leave, posting and the supply and relief of guards and escorts.

Each day's record should open with an order telling off the patrols for the night, and the day officer of the reserve lines for the following day. After this should be given separately each executive order passed by the Superintendent or officer in charge at headquarters. Head constables, naiks and constables should always be designated by number as well as name.

In orders about escorts, the number of prisoners or amount of treasure to be escorted should invariably be stated.

16. All cognizable crimes reported at police stations must find entry in the English crime register. A separate portion of this register shall be assigned to each police station, and, within that portion, to each of the six classes of crime specified in Statement A attached to the Annual Administration Report. If any particular crime, e.g., cattle theft, is rife, the Superintendent may assign separate pages to it inside the class to which it belongs.

The Superintendent may direct his reader to fill up the first eight columns of the register; the column of remarks he must fill up with his own hand, provided that he may direct an Assistant or Deputy Superintendent in charge of a sub-division to keep up the portion of the register relating to that sub-division, in which case such officer must fill up all columns with his own hand. Entries in all columns must be made punctually as case-diaries and other material papers become available; and when the trial or, if there is no trial, the investigation, in any case of importance, has come to an end, the Superintendent must decide, on a complete review of the facts, what, if any, notice, favourable or otherwise, the

conduct of the police deserves, and must make a suitable final entry in the column of remarks. He must also note in red ink in this column the names of all persons suspected in cases when in his opinion such suspicion is reasonable.

Assistant and Deputy Superintendents of Police.

17. Assistant and Deputy Superintendents may perform any of the Superintendent's work which he is not obliged by law or rule to do personally. They may make inquiries and recommendations even when they are not empowered to pass final orders. They should go on tour and make inspections. Their services should be used freely in the supervision and direction of important investigations. An officer who has obtained the certificate required by paragraph 496 must be placed in charge of part of the district under the Superintendent's control.

An Assistant Superintendent who has qualified for the charge of a district will hold charge of headquarters during the absence of the Superintendent. When no such officer is available, the senior gazetted officer—in length of service in the gazetted ranks—will normally hold charge. If the Superintendent proposes a departure from the normal, a reference must be made to the Inspector-General.

When no gazetted officer is present at headquarters, the Superintendent should place in charge of his office any one of the English-knowing inspectors at headquarters as may be most convenient.

Assistant Superintendents and Deputy Superintendents who have been confirmed in their appointments are empowered under certain restrictions to perform the duties of a Superintendent of Police under section 7 of the Police Act in so far as they relate to the suspension of police officers and to the award to police officers of the punishments specified in section 7(b) of the Act. See paragraph 449(f), Police Regulations.

All Deputy Superintendents of Police are empowered to perform the duties of a Superintendent of Police under sections 30 and 30A of the Police Act.

All Assistant and Deputy Superintendents of Police officiating in charge of districts shall until exempted by the Deputy Inspector-General of their range, submit to the latter for approval copies of all standing circular orders that they may propose to issue together with explanations, where necessary, of the reason for these orders.

CHAPTER II.

RESERVE INSPECTORS AND SERGEANTS.

18. The reserve inspector is the officer in charge of the reserve lines. He must tell off and inspect all guards and escorts required from the reserve lines and see that the officers in command are thoroughly acquainted with their duties. He shall parade any party of police about to be sent out of the district for special duty, and see that they are properly equipped and have sufficient kit with them. He shall see that the daily roll-call is held. He must see that the roster of duties (form no. 57) is correctly maintained by company commanders for all officers and men of the armed police, and for such of the civil police as are posted in the reserve lines, and he is personally responsible that the duties of all men in the reserve are correctly and fairly distributed. He must write up the first two columns of the roster in English himself, or have them written up by a sergeant, and he must initial and date the roster daily. He must daily submit to the Superintendent a morning report in form no. 30. He is entitled to an orderly peon, but not to a police orderly or to a guard on his house at night.

19. He is responsible for the safe custody of the clothing, accoutrements, arms, ammunition, tents and stores in the reserve, and for the correctness of the registers maintained for them.

20. He is responsible for the training of recruits (see Chapter XXXVII), and for the instruction and exercise of the whole force in drill.

21. He shall hold the weekly kit inspection, and be present at the firing of the annual musketry and revolver courses (see separate pamphlet) on occasions when he is not relieved of these duties by the Superintendent, Assistant or Deputy Superintendent.

22. He shall occasionally visit by day and night all guards and sentries at headquarters deputed from the reserve lines, reporting such visits to the Superintendent on the same or the next day; he must daily visit the treasury, magazine and lock-up guards, and enter a note of each such visit in the book provided for the purpose.

He shall command guards attending executions of capital sentences and should accompany European troops on the march when he can be spared. For his duties in these respects see the pamphlet containing rules for guards and escorts.

23. He may be employed to command escorts and guards on special occasions, when his presence is considered necessary on account of the danger of a disturbance or the importance of the charge, or for ceremonial purposes. He may be entrusted, for the maintenance of law and order or for administrative purposes, with any executive duties which the Superintendent thinks fit to assign to him. A European inspector should be employed, if possible, when action has to be taken against Europeans, and, if the circumstances of the case require his agency, when processes have to be served on them, or communication made to them. European inspectors may be directed to investigate cases in which Europeans are concerned, but should not be employed in other investigations except in very special circumstances.

24. The sergeant must give to the reserve inspector any assistance which the latter requires in the management of the reserve, and may be told off by the Superintendent to command escorts and guards, to regulate traffic, to maintain order at places of resort, to patrol roads, to visit guards and sentries, to serve processes on and convey communications to Europeans, to make investigations in cases in which Europeans are concerned, and to perform any of the duties mentioned in this chapter. The Superintendent may allow the reserve inspector to tell off the sergeant for duties.

CHAPTER III.

PROSECUTING INSPECTORS AND THEIR SUBORDINATES.

25. The prosecuting inspector's principal duty is to look after the prosecution of cases. In an important case he should read the police diaries as soon as he can get them to make himself acquainted with the facts before the first hearing, and should, if possible, consult the investigating officer before the case comes into court. He should consider whether all the witnesses named in the charge-sheet are necessary to prove the case, and whether additional evidence is required.

26. Accused persons sent to headquarters should, in the first instance, be brought before the prosecuting inspector, who should examine the police papers and send them with any instructions that may be necessary to the police officers attached to courts.

On examining the police papers sent with an accused person he should consider whether the antecedents of the accused have been sufficiently ascertained, or whether further inquiry about them is necessary.

27. A cause list will be put up daily before the Superintendent or officer in charge at headquarters showing the cases due for hearing in every court together with the name of the officer, if any, deputed to prosecute each. Under section 492 of the Code of Criminal Procedure all prosecuting inspectors and prosecuting sub-inspectors have been appointed public prosecutors within their districts of posting for cases tried or inquired into by Magistrates after investigation by the police. The prosecuting inspector should prosecute important cases before magistrates and prosecuting sub-inspectors should be employed frequently in prosecutions under his guidance. Before taking a case into court the prosecuting officer should have completed the procedure prescribed in paragraphs 25 and 26 and have completely mastered the facts. He should be thoroughly acquainted with the police diaries. When evidence is brought for the defence, he should try to obtain through the police or otherwise, before the date fixed for the examination of the witnesses some information about their antecedents and connexion with the accused which may be of use in cross examination. For every case prosecuted by the prosecuting inspector or sub-inspector a brief will be prepared, showing the names of all witnesses whom it is proposed to produce, with a summary of the evidence expected of each. This brief will be submitted to the Superintendent or officer in charge at headquarters after the procedure prescribed by paragraphs 25 and 26 has been completed, and before the case comes into court. With it will be attached the written notes regarding the defence witnesses obtained from the investigating officer as well as all papers, other than case diaries, relating to the case; and on it orders should be obtained as to the expediency of producing any witnesses regarding whom the prosecuting inspector may be in doubt and on any other important point which may arise. Briefs will be kept for a year and then destroyed. Where there are several accused in a case and some are present and others have absconded it is advisable to begin by producing evidence of absconding with reference to the missing accused, in order that the evidence recorded in the case may be relevant against them under section 512 of the Code of Criminal Procedure, as well as against the accused present in court. The prosecuting inspector should inform the officer in charge at headquarters whenever he considers that a case before a Magistrate is so important and difficult as to require the employment of a legal practitioner.

In cases in which the amount of a reward depends on the amount of fine imposed, the attention of the court should be drawn to the provisions of the law on the subject.

28. In sessions cases and in criminal appeals the prosecuting inspector should instruct the Government Pleader; to do this properly he must be thoroughly acquainted with the facts, as he will be, if he has prosecuted in the Magistrate's court. In both these classes of cases he should bring or send the case diaries to the sessions court.

If the headquarters of the Judge are in another district, the prosecuting inspector need attend the hearing of only important or difficult appeals there. In an ordinary case he may send the diaries with instructions to the prosecuting inspector of the Judge's headquarters, who will look after the appeal as if it were one of his own district.

In important cases before the High Court or the Chief Court of Oudh the prosecuting inspector should instruct the Government Advocate, unless the Superintendent of Police prefers to send some other police officer who knows more of the case than the prosecuting inspector, or the District Magistrate considers it advisable to depute the Government Pleader or some other person for the purpose.

29. Prosecuting inspectors and sub-inspectors of the Government Railway Police have been appointed public prosecutors for all cases tried or inquired into by Magistrates after investigation by the Government Railway Police, in all districts traversed by the railway lines composing the sections to which they are posted. In any Government Railway Police case, however, which is not taken up by a prosecuting inspector of that branch of the force the district prosecuting inspector has the same duties as he has in district cases, and must communicate the result to the Superintendent of the section in the manner laid down in paragraph 30.

Similarly prosecuting inspectors of the Criminal Investigation Department have been appointed public prosecutors for all cases inquired into and tried by Magistrates or any court of sessions after investigation by officers of that department in any district of the United Provinces, but the district prosecuting inspector will be responsible for the prosecution of cases investigated by the Criminal Investigation Department whenever no prosecuting inspector of that department is present, and must promptly communicate all important orders as well as the result of trial in such cases to the Assistant to the Deputy Inspector-General of Police, Criminal Investigation Department, Investigation Branch.

30. He should report to the Superintendent in his daily report of convictions and acquittals (form no. 107) or otherwise the causes of all important failures in prosecution, producing his brief before the Superintendent if required, and must also bring to notice all instances of specially good work or inefficiency or misconduct on the part of the police which have come to light in cases. He should recommend the expunction of an offence, if at the end of a trial he considers such a course desirable.

31. He should watch most carefully all proceedings taken at headquarters for the identification of accused persons, and must see that they are conducted in such a way as to afford no grounds on which the *bona fides* of the police can be called into question. When prisoners are admitted to the jail lock-up who may have to be shown subsequently to witnesses for identification, the prosecuting inspector must inform the jailor at the time of admission, or as soon afterwards as possible, that identification proceedings will be required. Before identification proceedings are taken in a jail or prisoners are produced for trial in the courts of Magistrates or Judges, the prosecuting inspector must satisfy himself that the

provisions of paragraph 870 of the Jail Manual of the United Provinces, and of the Manual of Government Orders have been fully observed, and must, through the Superintendent of Police, or Magistrate or court concerned, bring to the notice of the Superintendent of the jail any case in which an under-trial prisoner has been allowed to crop his hair, grow a beard or otherwise change his appearance. He must also see that no grounds are ever given for the suggestion that case property has been changed or tampered with after its arrival at headquarters.

32. On being warned that a dying declaration is to be taken, he should at once go to the place where the injured person is, taking the police papers in the case, and should, if possible, arrange for the attendance of the accused and his pleader at the time when the declaration is recorded by the Magistrate.

33. He should prepare applications for remand under section 167 of the Code of Criminal Procedure, and submit them to the court personally or through one of his subordinates.

Copies of statements of witnesses asked for by an accused under section 162, Criminal Procedure Code, should be certified as true copies either by the prosecuting inspector or the prosecuting sub-inspector.

34. The prosecuting inspector shall arrange for the production of under-trial prisoners before courts on the proper dates and for their safe escort to and from the courts. When the attendance of under-trial prisoners is required at courts he shall send to the jailor a list of these prisoners and as it is for the police to decide whether such prisoners shall be handcuffed, fettered, or not he shall give clear directions on the list as to which prisoners are to be handcuffed or fettered or both handcuffed and fettered and whether cross-bars are necessary in any case. The responsibility for the decision on these points will rest with the prosecuting inspector subject in all cases to the control of the Superintendent of Police whose orders should be taken in doubtful cases and in the cases of prisoners of outstanding importance. The prosecuting inspector shall determine the strength of the escort with reference to the minimum scale given in appendix II of the "Rules for guards and escorts" and with due regard to the character of the prisoners and the number of courts in which they are to be produced. He shall apply to the reserve inspector for the necessary number of police. If he considers that the escort should be wholly or partly armed with muskets, he should obtain the orders of the Superintendent of Police or of a gazetted officer; in the absence of a gazetted officer the reserve inspector should use his discretion.

The prosecuting inspector shall furnish the escort commander with two copies of the list of prisoners in form no. 278 or, if possible, he shall send one copy to the jailor on the evening preceding the day on which the prisoners are required. The escort commander after making the search prescribed by the rules, satisfying himself that the directions with regard to fetters have been carried out and personally complying with the directions with regard to handcuffs, shall sign one copy of the list which will be retained by the jailor.

From the time of the delivery of the prisoners the responsibility for their safe custody shall rest with the escort commander until their return to the jail and the endorsement by the jailor of a certificate on the list to the effect that the prisoner or prisoners have returned in security to the jail or have not returned owing to good and sufficient cause. The prosecuting inspector shall make such additions and alterations as may be necessary in the list before the prisoners are returned to jail.

35. When a convicted or under-trial prisoner is sent, in pursuance of a requisition from a court to another district, an order signed by the Superintendent of the jail in which the prisoner is detained is sent with the prisoner, directing that he be returned when no longer required by the court to which he is sent (see

paragraph 880 of the Jail Manual). It is the duty of the prosecuting inspector of the district, to which the prisoner is sent to bring this order to the notice of the court before which the prisoner is produced, and to obtain the necessary directions for the return of the prisoner.

The prosecuting inspector must be careful to see that a nominal roll (jail form no. 44) is filled up to be attached to the warrant of every convict sentenced to transportation. He must bring to the notice of the Superintendent of Police any case in which a convict has been sentenced to transportation but whose nominal roll has not been received from the Superintendent of the jail, through the District Magistrate, to be filled up.

36. For the prosecuting inspector's duties concerning property which comes into the possession of the police see Chapter XIII. For his duties concerning finger impressions see the separate Manual for other book —

UNITED PROVINCES POLICE.

Amendment no. 8/VI—107-29, dated October 14, 1929 to the Police Regulations.

Substitute the following for paragraph 39 of the Police Regulations:—

The police attached to courts are under the control of the prosecuting inspector, and should assist him in his office when not employed in court. He should bring to the notice of the Superintendent the cases of any of them who have been attached to courts for more than one year (see paragraph 491). He should see that they are properly dressed on duty, and he is responsible for the performance of their duties, which are—

- (1) to produce before a court without delay all prisoners who are under trial and to obtain its orders for their detention in the lock-up both in the first instance and whenever a remand is necessary.
- (2) to see that criminal cases are ready for hearing, witnesses are in attendance and exhibits produced,
- (3) to keep order in court and ensure the safe custody of prisoners there and to see that handcuffs are taken off prisoners in court, unless the presiding officer otherwise directs,
- (4) when attached to courts away from headquarters, to perform such of the prosecuting inspector's duties (except those mentioned in paragraphs 25 to 31) as the Magistrate or Superintendent may direct,
- (5) to take recognisances from witnesses and accused persons in custody.
- (6) to take accused persons into custody under the court's orders.

G. O. no. 2988/VIII—223, dated October 2, 1929.

G. A. ANDERSON,

Asst. to Inspector-General of Police,

United Provinces.

provisions of paragraph 870 of the Jail Manual of the United Provinces, and of the Manual of Government Orders have been fully observed, and must, through the Superintendent of Police, or Magistrate or court concerned, bring to the notice of the Superintendent of the jail any case in which an under-trial prisoner has been allowed to crop his hair, grow a beard or otherwise change his appearance. He must also see that no grounds are ever given for the suggestion that case property has been changed or tampered with after its arrival at headquarters.

32. On being warned that a dying declaration is to be taken, he should at once go to the place where the injured person is, taking the police papers in the case, and should, if possible, arrange for the attendance of the accused and his pleader at the time when the declaration is recorded by the Magistrate.

He should prepare applications for remand under section 167 of the ^{to the court personally or through} ~~to the court personally or through~~

Substitute the following for clause 1 of of paragraph 34, Police Regulations :—

The prosecuting inspector shall arrange for the production of under-trial prisoners before courts on the proper dates, and for their safe escort to and from the courts. When the attendance of under-trial prisoners is required at courts he shall send to the jailor a list of the prisoners and as it is for the police to decide whether such prisoners shall be handcuffed, fettered, or not he shall give clear directions on the list as to which prisoners are to be handcuffed or fettered or both handcuffed and fettered and whether cross-bars are necessary in any case. The instructions governing the handcuffing and fettering of under-trials are given in rule 153 of the Rules for Guards and Escorts and must be carefully followed. The responsibility for the decision on these points will rest with the prosecuting inspector subject in all cases to the control of the Superintendent of Police whose orders should be taken in doubtful cases and in the cases of prisoners of outstanding importance. The prosecuting inspector shall determine the strength of the escort with reference to the minimum scale given in Appendix II of the Rules for Guards and Escorts and with due regard to the character of the prisoners and the number of courts in which they are to be produced. Under-trials without handcuffs must be escorted separately from those who are handcuffed as directed in rule 153 of the Rules for Guards and Escorts and when under-trials without handcuffs travel on foot or by any conveyance by road except a police prison van, the strength of the escort should be as in the increased scale given in the note to Appendix II of the Rules for Guards and Escorts. The prosecuting inspector shall apply to the reserve inspector for the necessary number of police. If he considers that the escort should be wholly or partly armed with muskets he should obtain the orders of the Superintendent of Police or of a gazetted officer; in the absence of a gazetted officer the reserve inspector should use his discretion.

G. O. no. 341/VIII—228, dated January 17, 1931;

G. A. ANDERSON,

Assistant to Inspector-General of Police,
United Provinces.

paragraph 880 of the Jail Manual). It is the duty of the prosecuting inspector of the district, to which the prisoner is sent to bring this order to the notice of the court before which the prisoner is produced, and to obtain the necessary directions for the return of the prisoner.

The prosecuting inspector must be careful to see that a nominal roll (jail form no. 44) is filled up to be attached to the warrant of every convict sentenced to transportation. He must bring to the notice of the Superintendent of Police any case in which a convict has been sentenced to transportation but whose nominal roll has not been received from the Superintendent of the jail, through the District Magistrate, to be filled up.

36. For the prosecuting inspector's duties concerning property which comes into the possession of the police see Chapter XIII. For his duties concerning finger impressions see the separate Manual; for other duties the index to this book may be consulted.

He shall keep up the following registers:—

(1) Register of absconded offenders (see Chapter XVIII).

(2) Register of property in four parts (see Chapter XIII).

(3) Register of arms, ammunition and military stores (see paragraphs 157 and 159).

(4) Lock-up register (form no. 32).

The lock-up register should contain the names of all prisoners put in the lock-up at headquarters or detained at headquarters in the custody of the guard over under-trial prisoners. Prisoners tried away from headquarters and not put in the lock-up need not be shown in the register, unless they are sentenced to imprisonment, in which case their names should be entered when they are sent with warrants for admission to jail.

37. A prosecuting inspector, by reason of being in the prosecuting branch, does not cease to be a police officer. He is in a most favourable position to obtain information as to public feeling on matters of public interest affecting the police department. He must remember that it is his duty to place all such information at the disposal of the Superintendent of Police.

38. Prosecuting sub-inspectors are under the control of the prosecuting inspector and shall perform any of the duties mentioned or referred to in this chapter which may be assigned to them by him.

39. The police attached to courts are under the control of the prosecuting inspector, and should assist him in his office when not employed in court. He should bring to the notice of the Superintendent the cases of any of them who have been attached to courts for more than one year (see paragraph 491). He should see that they are properly dressed on duty, and he is responsible for the performance of their duties, which are—

(1) to lay before the presiding officer direct, or through one of the court officials as the presiding officer may prescribe, all papers sent to them by police officers for the court's orders or information;

(2) to issue the court's orders or communications to police officers;

(3) to obtain the court's orders for remand to the lock-up of every under-trial prisoner who is to be kept in custody because his case cannot be finished without an adjournment. Under-trial prisoners who cannot be produced before the court on the day of their arrival at headquarters should be sent to the lock-up as soon as a Magistrate's order can be obtained;

- (4) to see that criminal cases are ready for hearing, witnesses are in attendance and exhibits produced;
- (5) to keep order in court and ensure the safe custody of prisoners there. Handcuffs should be taken off prisoners in court, unless the presiding officer otherwise directs;
- (6) to deliver to the prosecuting inspector the warrants of all prisoners sentenced to imprisonment;
- (7) when attached to courts away from headquarters, to perform such of the prosecuting inspector's duties (except those mentioned in paragraphs 25 to 31) as the Magistrate or Superintendent may direct;
- (8) to keep up the the following registers:—
 - (a) Register of final result of cases (form no. 178).
 - (b) Register of criminal appeals and revisions (form no. 177).

Register (a) must be kept for each court, register (b) for appellate courts only. The originals in (a) and (b) will be torn off and sent to police stations to which cases relate. If an accused person living in one police circle of the district is convicted of an offence committed in another police circle of the district and the offence is of a kind which should be recorded in the village crime note-book, a separate sheet should be sent to each of the two police stations. If an accused person convicted of such an offence resides in another district of British India, the prosecuting inspector should be informed in order that he may send information to that district in form no. 148. When form no. 148 is received from another district by a prosecuting inspector, he shall send information of the conviction to the officer in charge of the station in which the convict resides.

CHAPTER IV.

CIRCLE INSPECTORS.

40. The principal duty of the circle inspector is to supervise the investigation and prevention of crime, to co-ordinate preventive and detective work in police circles, co-operating with other circle inspectors for this purpose when necessary, and to see that the police, and more particularly the station officers subordinate to him, perform their duties honestly and efficiently. His energies must not be dissipated in unnecessary clerical work in connexion either with his office or with the inspection of police stations.

He will maintain a crime register for his circle and will receive copies of all first information reports of cognizable crime direct from police stations, but his notes in the register should be an index of action taken for the detection and prevention of organized and serious crime, and the register should not be swamped with details regarding petty offences. He will inspect each police station in his circle once a year following the instructions given in the memorandum on the inspection of police stations by circle inspectors, paying attention chiefly to matters connected with the prevention and detection of crime. He should visit the scene of occurrence and guide investigation in all important cases and may be deputed by the Superintendent to conduct investigations himself. Whenever he attends an investigation he should not only sign the case diary for the time of his attendance, but must also record therein in detail all instructions which he may find it necessary to give to the investigating officer regarding the future conduct of the case.

Details of his duties in regard to surveillance, to which he should devote particular attention, are given in paragraph 234. He must make himself acquainted with the people and acquire a local knowledge of every part of his circle.

41. It will also be the duty of the circle inspector :—

- I.—To keep the Superintendent informed of every occurrence in his circle which it is desirable for the Superintendent or the District Magistrate to know in the interests of the administration. It is especially his duty to report any feeling of disaffection with the measures of Government, and the spreading of any movement, scare or rumour which may cause trouble, if not checked.
- II.—To take command of a police force employed in suppressing a riot, or otherwise actively maintaining order, when he is the senior police officer present.
- III.—To keep a diary in form no. 3, recording therein his movements; also a confidential note-book in which he should record notes on all matters which he has to bring to the notice of the Superintendent, but cannot suitably mention in his inspection reports.
- IV.—To inspect shops licensed under the Arms and Explosives Acts (see pages 61-62 of the Explosives Manual (1908), and paragraph 28(4), Indian Arms Rules, 1924).
- V.—To keep the Superintendent informed of the conduct of the subordinate police of his circle and of the manner in which they perform their duties, and to make such preliminary inquiries in departmental cases as the Superintendent may direct.

CHAPTER V.

SUB-INSPECTORS AND INFERIOR OFFICERS OF THE CIVIL POLICE.

Officer in charge of a station.

42. The officer in charge of a police station is a sub-inspector. Within the limits of his charge he conducts the police administration, and has authority over all branches of the force. He is responsible for the efficiency of his subordinates, for the proper performance of their duties, and for the correctness of all registers, records, returns and reports prepared by them. He must instruct them in their work, keep them under control and maintain discipline.

43. He must endeavour to acquire a thorough local knowledge of his charge, and to become well acquainted with all the principal people in it. He should treat village headmen with courtesy, and try to secure their cordial assistance. He should be considerate to village chaukidars and encourage them to give him information. He should keep a strict watch on bad characters to prevent them from committing offences either within or without the limits of the station. He should communicate intelligence promptly to his superiors and to officers in charge of other police stations, using the telegraph, if available, and the United Provinces Police Telegraphic Code for the prompt dissemination of important information.

44. He must keep a confidential note-book in the prescribed form and record therein useful information which will not find a place in any official register, e.g., the names of persons who will give secret intelligence, confidential remarks about subordinates and others. He shall make this note-book over to his successor.

45. He shall drill his subordinates to the extent prescribed by paragraph 550.

He shall examine his constables periodically in their knowledge of their beats and duties as laid down in the "Guide for the training of constables".

Once a week he shall make a thorough inspection of the kit of the police stationed at or near his headquarters, including the tahsil guard, if any, and report any deficiencies. He shall periodically satisfy himself that all his subordinates, of every branch of the force, who cannot attend the weekly kit inspections, have all their proper uniform and equipment.

The firearms with their bayonets, pouches and stores, and all other weapons at the police station, shall be in his personal charge. They shall be given out of store for specific duty only, and be returned to store when no longer required for immediate use.

He shall keep all his subordinates, including the rural police, acquainted with as much of the *Police Gazette*, *Criminal Intelligence Gazette*, and other information received at the station, as concerns them.

46. He may allow his subordinates to go off duty and leave the station house, when they can be spared, but if he allows any officer to be absent for the night he must record the reason in the general diary.

47. During his presence at the station house he shall personally open the post and receive all orders, communications and reports sent or made there; he shall sign the general diary, arrange for the duties of the day, and give any directions that may be required; he shall inspect the malkhana daily. When he deputes a subordinate officer to make an investigation under section 157 of the Code of Criminal Procedure, he must see, before forwarding the report required by section 173, that the investigation has been properly made.

48. For the definition of the term "officer in charge of a police station"—see section 4(1) (p) of the Code of Criminal Procedure. The Local Government have empowered the senior literate constable present to hold charge of the station within the meaning of that section, when no officer above the rank of constable is present at the station house, but he may not make investigations.

The making and taking over charge of the station officer's duties shall be recorded in the general diary; the entry shall be signed by both officers.

When the officer temporarily in charge of a station is a head constable, or naik, he should not exercise the powers of an officer in charge of a station under section 157 of the Code of Criminal Procedure except in a case of extreme urgency.

49. Whenever a permanent change of station officer takes place, a formal charge certificate shall be submitted by the relieving officer to the Superintendent in form no. 299.

A copy of the list of all Government property including arms and ammunition at the police station shall be attached to the certificate, and the relieved officer must explain any deficiencies or damage that may have occurred during his tenure of office.

Subordinate sub-inspectors.

50. The second officer at a police station is a sub-inspector. His duties are—

- (1) to assemble the morning parade;
- (2) to tell off subordinates for duty according to the directions of the officer in charge, to give them instruction, and to see that their duties are properly performed;
- (3) to report to the officer in charge all defects or omissions in the performance of duties by subordinates;
- (4) to investigate cases made over to him by the officer in charge, and to report to him the results of his investigations;
- (5) to drill the police attached to the station;
- (6) to obey the orders of the officer in charge, and to see that these orders are obeyed by the subordinate police.

51. There can be no second officer at a station where the officer in charge is the only sub-inspector. Where there are more than two sub-inspectors, those junior to the second officer will perform such duties as are made over to them by the officer in charge.

Head constable station-writer.

52. The head constable station-writer is the office clerk, record-keeper and accountant of the police station. His duties are—

- (1) to write up the general diary and the first information reports of crime (see paragraphs 278 to 280 and 87, 88 and 91);
- (2) to bring every morning to the notice of the officer in charge all orders pending execution;
- (3) to record on their boards the attendance of village chaukidars when they make their periodical visits to the station, and to make entries in their books when entries are required;
- (4) to read aloud to constables notifications in the *Police Gazette* and *Criminal Intelligence Gazette*, and such other papers as the officer in charge may select;

- (5) to compile returns, acquittance rolls and pay abstracts, prepare registers, and do any other clerical work which may be assigned to him by the officer in charge;
- (6) to keep all books and records;
- (7) where there is no second officer, to perform the duties mentioned in paragraph 50, except (4);
- (8) to hold inquests under section 174 of the Code of Criminal Procedure if specially empowered by the Superintendent of Police to do so.

53. Other literate police officers attached to the station will give the station-writer such assistance in the discharge of his duties as the officer in charge may direct.

54. When a head constable or naik is in charge of the station (see paragraph 48) and has to make an investigation under section 157 of the Code of Criminal Procedure, he shall make over his clerical duties, and if he leaves the station, station charge, to the next senior literate head constable, naik or constable, and carry on the investigation until he is relieved by a sub-inspector or the work is finished. On no other occasions may a head constable or naik make an investigation.

The making over and taking over charge of the station-writer's duties shall be recorded in the general diary; the entry shall be signed by the relieved and relieving officers.

Head constable in charge of outpost.

55. The head constable of an outpost is responsible for the orderly conduct and discipline of the constables under his charge. He shall inspect them at day-break and at sunset every day; he shall tell them off for duty and see that they do their work properly. He shall be in constant communication with the officer in charge of the station, shall immediately report to him cognizable crimes and important occurrences, and shall make, at intervals fixed by the Superintendent, periodical reports on the discipline of his subordinates and their performance of their duties. He may not make investigations, but may hold inquests when specially empowered by the Superintendent of Police to do so.

56. The sphere of action and the special duties of the police at each outpost should be determined by the officer in charge of the station under the orders of superior authorities. The system of patrolling should be prescribed (compare paragraph 177).

Naiks.

57. The powers and responsibilities of a naik are those of a head constable and he may be ordered to perform any of the duties assigned to head constables in the preceding paragraphs.

Constables.

58. Constables of the civil police will not be armed except on special occasions. Their principal duty is the prevention of crime.

They must be courteous and considerate to the public whose servants they are.

Every constable on duty, except when deputed on special detective work requiring disguise, shall wear the prescribed uniform.

59. There shall be a sentry night and day at each police station; it shall be his duty to guard the prisoners in the lock-up, the treasure chest, the malkhana and all property in the station,

The officer in charge will allot the sentry duty, distributing brass tokens, numbered consecutively, among the men told off. Sentry duty will be distributed twice a day, in the morning and evening. The term of sentry duty will be three hours. Sentries must be relieved by a sub-inspector, head constable or naik during the day time and also at night unless there are no prisoners in the lock-up, and no important case property and less than Rs. 100 in the malkhana. Whether sentries are relieved by a superior officer or not, each sentry on being relieved will exchange tokens with the relieving sentry. Under this system the sentry on duty will always hold token no. 1, as this token will be given to the first sentry and passed on from sentry to sentry, on relief. The relieving sentry shall invariably examine the lock of the treasure chest and count the prisoners in the lock-up in the presence of the relieved sentry. The keys of the treasure chest and the lock-up shall be kept by the senior officer present in the station.

When it is necessary for an officer to change sentries at night the evening report of distribution of duties must show which officer will do so.

When prisoners are to be admitted or removed from the lock-up the senior officer present will either open it himself or have it opened in his presence.

The duties of each station should be allotted fairly every day, so that each man may have in turn his portion of night and day duty, and of hard and easy work.

50. Police station circles shall be divided into beats, and one or more constables appointed to each beat for the performance of duties in it. A constable shall not be sent out unless charged with some specified duty; but when he is sent he should be instructed to make inquiries on his way about persons under surveillance, absconded offenders, wandering tribes and passing events; on return to the station house he should make a report to the officer in charge.

Ordinarily a constable should not be away from his station house or outpost for more than three days and two nights consecutively; the officer who sends him out should fix the time of his absence subject to any extension required by unforeseen events.

51. District police are entitled when on duty to appear and to remain on the platforms of railway stations. A station master has no power to order the removal of a district police constable who may be on duty at his railway station. Every plain-clothes constable of the district police sent on duty to a railway station shall carry a written general order from the sub-inspector deputing him and must produce it before the station master if required.

CHAPTER VI.

ARMED POLICE.

62. The armed police are intended for the protection of treasuries, tabsils and lock-ups, for the escort of treasure, prisoners and Government property, for service on magazine and quarter guards, for the suppression and prevention of disorder and crimes of violence, and for the pursuit and apprehension of dangerous criminals.

This branch of the force is under the special charge of Deputy Inspectors-General of ranges, who are responsible that Superintendents maintain discipline and efficiency.

63. Sub-inspectors of the armed police command important guards and escorts, maintain discipline and order in the police lines, give instruction in drill, musketry and guard duties, visit guards and sentries by day and night, take the roll-call of men in the lines, and act generally under the orders of the reserve inspector.

64. Head constables and naiks of the armed police are employed to command guards and escorts, to give instruction in drill, and generally to perform the duties of non-commissioned officers in the Army. When in charge of outposts they should follow the instructions given in paragraph 55.

65. Magistrates who have occasion to give directions, in a riot or affray, to police, should communicate their orders to the police through the police officer in command.

66. The following instructions govern the deputation of armed police on occasions of religious ceremonies, and the action to be taken when the police are called upon to suppress a disturbance:—

(1) Ordinarily, police armed with firearms should not be used on occasions of processions or other ceremonies, except as a reserve force to deal with a possible disturbance. The position such a reserve force should take will be governed by special circumstances and the instructions below.

(2) Bodies of armed police should never escort processions. They should be at points where there is danger of disturbance or should be held in reserve as a moving picket either in front or in rear of the procession where they are in the least danger of being thrown into confusion by the mob, and can be kept under the control of the officer in command and of their petty officers. The officer in command of an armed force on such occasion should be carefully selected. As far as possible these guards should consist of both Hindus and Muhammadans in normal proportions. The proportion of petty officers to men should be as high as possible. Only buckshot ammunition should be served out. Unless there are special reasons to the contrary, circle inspectors and all civil police sub-inspectors with parties of civil police on duty with processions should be mounted.

(3) It is the duty of the Superintendent of Police on the occasion of all such deputations of both armed and civil police to assign the duties which officers and men have to perform. Clear general and special orders should be drawn up and communicated, showing definitely the positions of each body of police, the duties they have to perform, under whose orders officers will act, and so forth. Such orders should be made out for all occasions when police are employed to control processions and ceremonies, and should remain on record for future guidance.

Amendment No. 21/II—335-28, dated July 3, 1930.

Erratum.

On page vii of the index to the Police Regulations for paragraph numbers 383—385, against entry "Copies of official documents. Supply of —," read "483—485."

By order,

G. A. ANDERSON,

*Asst. to Inspector-General of Police,
United Provinces.*

*Amendment no. 22/VI—182-25, dated July 29, 1930, to the
Police Regulations, United Provinces.*

Paragraph 66.—*Substitute* the following for the existing paragraph 66:—

The following instructions govern the deputation of armed police on occasions of religious ceremonies, and the action to be taken when the police are called upon to suppress a disturbance:—

(1) The legal provisions regulating the use of force by the police are contained in Chapter V (especially sections 46 and 50) and Chapter IX (especially sections 127 and 128) of the Criminal Procedure Code.

The main principle to be observed is that the degree of force employed shall be regulated according to the circumstances of each case. The object of the use of force is to quell a disturbance of the peace, or to disperse an assembly which threatens such disturbance and has either refused to disperse or shows a determination not to disperse; no ulterior objects, such as punitive or repressive effect, should be taken into consideration.

Any officer in charge of a police station or police officer of higher rank has power, independently of the authority of a Magistrate, to call upon an unlawful assembly to disperse and to use force to disperse it. (See section 127, Criminal Procedure Code). When a Magistrate (other than an Honorary Magistrate) is present, or can be communicated with without such delay as would prejudice the situation, an assembly shall not be called upon to disperse nor shall force be used to disperse it without orders of such Magistrate, provided that if a gazetted police officer is present, and no Magistrate having first-class or higher powers is present, such police officer shall act independently in ordering an assembly to disperse. In other circumstances the senior police officer present, having the powers of an officer in charge of a police station, shall act on his own responsibility, but shall communicate with and report his action to the senior Magistrate who may be accessible, as soon as possible. Whether acting under the orders of a Magistrate or not, once the order to disperse a crowd has been given, the method by which force shall be applied and the degree of force to be used shall be decided by the senior police officer present: provided that, if the District Magistrate is himself present, he, as head of the Criminal administration of the district, shall be recognised as holding the responsibility which would otherwise fall on the senior police officer present.

All attempts to disperse a crowd by warnings, and exhortation, shall be made before it is declared an unlawful assembly and, as such, ordered to disperse. Once an order to disperse has been defied, or when the attitude of a crowd is obviously defiant, force must be used, but the degree of force used shall be the minimum which the responsible officer, with the exercise of due care and attention, decides to be necessary for the effective dispersal of the crowd and the making of such arrests as may be desired. The degree and duration of the use of force shall be limited as much as possible, and the least deadly weapon which the circumstances permit shall be used.

The effectiveness of force depends mainly upon the determination with which it is applied, its direction against the most defiant section of the crowd to be dispersed, and its absolute control. Failure to act on this principle results inevitably in more force being applied and more dangerous weapons being used than would otherwise have been necessary. It is not possible to lay down any more definite rule as to when different methods or different weapons shall be used. The officer responsible is required to decide this in each case on consideration of the strength and attitude of the crowd to be dispersed, and the strength of the force available for its dispersal.

(2) Ordinarily, police armed with firearms should not be used on occasions of processions or other ceremonies, except as a reserve force to deal with a possible disturbance. The position such a reserve force should take will be governed by special circumstances and the instructions below.

(3) Bodies of armed police should never escort processions. They should be at points where there is danger of disturbance or should be held in reserve as a moving picket either in front or in rear of the procession where they are in the least danger of being thrown into confusion by the mob, and can be kept under the control of the officer in command and of their petty officers. The officer in command of an armed force on such occasion should be carefully selected. As far as possible these guards should consist of both Hindus and Muhammadans in normal proportions. The proportion of petty officers to men should be as high as possible. Buckshot and ball ammunition should be served out, but ball ammunition should be used only where the situation is serious and buckshot is likely to prove ineffective. Unless there are special reasons to the contrary, circle inspectors and all civil police sub-inspectors with parties of civil police on duty with processions should be mounted.

(4) It is the duty of the Superintendent of Police on the occasion of all such deputations of both armed and civil police to assign the duties which officers and men have to perform. Clear general and special orders should be drawn up and communicated, showing definitely the positions of each body of police, the duties they have to perform, under whose orders officers will act, and so forth. Such orders should be made out for all occasions when police are employed to control processions and ceremonies, and should remain on record for future guidance. When for any reason it is found necessary to depute police for the first time, or to augment the strength usually employed, it is imperative that special orders on these lines should be drawn up and communicated.

(5) On all such occasions, when armed police are deputed at headquarters, unless there are good reasons to the contrary, the Superintendent should be present and in direct control, and ordinarily a gazetted officer or the reserve inspector should be in command of an armed force used at headquarters. In the rural area it is obviously impossible to follow these directions, and those in the previous paragraph, on all occasions; but so far as the strength of the district

staff permits they should be followed, and it is invariably the duty of the Superintendent to satisfy himself that the officer who will have control over, or command, the armed police is sufficiently responsible.

(6) When the responsible police officer, whether acting under the orders of a Magistrate or independently, considers that the use of firearms is necessary, he shall, unless circumstances make such action impossible, warn the crowd that if they do not immediately disperse, fire with live ammunition will be opened upon them. If the District Magistrate is present his orders shall invariably be obtained immediately the necessity of opening fire becomes imminent. If the senior police officer present is of non-gazetted rank he shall at such stage obtain the orders of the senior Magistrate present (other than an Honorary Magistrate).

In order that the decision to open fire may be promptly acted upon without loss of control or confusion the responsible police officer shall, as soon as it appears likely that the use of firearms will be necessary, tell off a detachment of armed police to be held in readiness. When fire is to be opened the responsible police officer shall decide the minimum volume necessary to be effective in the circumstances and shall give precise orders accordingly, as to the particular men or files who are to fire and number of rounds to be fired, whether buckshot or ball is to be used, and whether volleys or independent aimed shots are to be fired, and shall ensure that his orders are not exceeded and that no firing contrary to or without orders takes place, unless men find themselves cut off from their officers and in danger and have to fire in self-defence. Only one volley should be ordered at a time, except in cases of extreme urgency, and firing shall cease the instant it is no longer necessary. The objective should be clearly indicated, and, whatever volume of fire is ordered, it shall be applied with the maximum of effect. The aim must be kept low and directed to the most threatening parts of the crowd. Firing must never be in the air or over the heads of or at the fringes of the crowd as thereby the crowd will merely be encouraged to further violence in the belief that the weapons of the police are incapable of harming them. For the same reason blank cartridges must never be served out to police employed to suppress a riot. After "cease fire" a careful check should be made of missing cartridge, and the number of rounds fired, and the result must be noted. This should be done by each petty officer for his squad at once and he should ascertain further that all men are present directly firing ceases. The senior officer present should satisfy himself personally that this has been done. Each petty officer should be made personally responsible for his men, and indiscriminate firing, or independent action, should in ordinary circumstances be severely dealt with.

To exercise proper control on these lines constant practice is required in the police lines, and the matter will receive attention from Deputy Inspectors-General at their inspections.

(7) After any disturbance necessitating firing by the police, as soon as order has been restored, the procession should be halted where it stands until pickets have been placed, necessary patrols organized, and all the dead, wounded, and injured attended to. The senior police officer present will then decide as to the disposal of the procession. Whenever firing has taken place an inquiry must be made on the spot at once by the senior police officer present, unless this duty is taken over by a Magistrate, with a view to eliciting all the facts and ascertaining whether the use of firearms was justified.

(G. O. no. 8546/VIII--111, dated July 18, 1930.)

E. A. C. KING,
Asst. to Inspector-General of Police,
United Provinces.

Amendment no. 23/I(a)—501-30, dated August 11, 1930, to the Police Regulations, United Provinces.

Add the following as a new clause to paragraph 389, Police Regulations :—

Any member of the subordinate police service may be required to submit to revaccination when the civil surgeon of his district considers necessary.

(This amendment will apply only to those men who are enlisted or appointed after its publication.)

(G. O. no. 360/VIII—223, dated July 18, 1930.)

E. A. C. KING,
Asst. to Inspector-General of Police,
United Provinces.

Amendment no. 24/I(a)—956-30, dated August 30, 1930, to paragraph 528 of the Police Regulations.

Delete full-stop after the words " a second time for training " at the end of the paragraph and add " except for special reasons."

(G. O. no. 1594/VIII—223, dated August 22, 1930.)

E. A. C. KING,
Asst. to Inspector-General of Police,
United Provinces.

When for any reason it is found necessary to depute police for the first time, or to augment the strength usually employed, it is imperative that special orders on these lines should be drawn up and communicated.

(4) On all such occasions, when armed police are deputed at headquarters, unless there are good reasons to the contrary, the Superintendent should be present and in direct control, and ordinarily a gazetted officer or the reserve inspector should be in command of an armed force used at headquarters. In the rural area it is obviously impossible to follow these directions, and those in the previous paragraph, on all occasions; but so far as the strength of the district staff permits they should be followed, and it is invariably the duty of the Superintendent to satisfy himself that the officer who will have control over, or command, the armed police is sufficiently responsible.

(5) When in exercise of the powers given by section 128, Code of Criminal Procedure, a Magistrate, an officer in charge of a police station or a police officer of higher rank engaged in dispersing an unlawful assembly is compelled to direct the police acting under him to use their firearms, he shall give beforehand to the mob full warning that fire will be effective and that blank cartridges will not be used. It is unnecessary to emphasise either the need for exercising or the difficulties in maintaining proper "fire-control," but in all cases in which armed men are used to suppress disorder, explicit instructions should be given to them that they must not open fire until definitely ordered to do so by their officers, unless they find themselves cut off from their officers and in danger, and have to fire in self-defence. Ordinarily firing should be by volleys, and as far as possible before firing is resorted to, or the actual orders given, all petty officers and men should be told the number of volleys to be fired. Only one volley should be ordered at a time, except in cases of extreme urgency, and firing shall cease the instant it is no longer necessary. The objective should be clearly indicated. Firing should as a rule be directed at the legs of the mob. It must never be in the air nor over the heads of the crowd as thereby innocent persons may be injured, while the crowd itself will merely be encouraged to further violence in the belief that the weapons of the police are incapable of harming them. For the same reason blank cartridges must never be served out to police employed to suppress a riot. After "cease fire" a careful check should be made of missing cartridge, and the number of rounds fired, and the result must be noted. This should be done by each petty officer for his squad at once and he should ascertain further that all men are present directly firing ceases. The senior officer present should satisfy himself personally that this has been done. Each petty officer should be made personally responsible for his men, and indiscriminate firing, or independent action, should in ordinary circumstances be severely dealt with.

To exercise proper control on these lines constant practice is required in the police lines, and the matter will receive attention from Deputy Inspectors-General at their inspections.

(6) After any disturbance necessitating firing by the police, as soon as order has been restored, the procession should be halted where it stands until pickets have been placed, necessary patrols organized, and all the dead, wounded and injured attended to. The senior police officer present will then decide as to the disposal of the procession. Whenever firing has taken place an inquiry must be made on the spot at once by the senior police officer present, unless this duty is taken over by a Magistrate, with a view to eliciting all the facts and ascertaining whether the use of firearms was justified.

67. A requisition for armed police in excess of the district allocation should, if possible, be made to the Deputy Inspector-General of the range at least six weeks before the date on which the additional force is required, and should be sent through the District Magistrate and the Commissioner; provided that in cases

where this will cause delay, application may be made demi-officially after consultation with the District Magistrate. Armed police should not be paraded as a demonstration on every slight occasion, but used only when the civil police are obviously unable to cope with a situation. Armed police must be restricted to their proper duties, and not dispersed in small outposts where they are of little use.

68. Six constables of the armed police are supplied by the Superintendent of Police, Lucknow, as bicycle orderlies to His Excellency the Governor. When His Excellency is on tour away from Lucknow, urgent applications for short leave from these orderlies will be dealt with by the Private Secretary. If he sanctions leave and requires a relief he will apply to the local Superintendent of Police. Similarly, if a bicycle orderly fall sick when on tour, he will be sent to the police hospital of the district where he is at the time, and the local Superintendent of Police will be informed, and, if a relief is required will be asked to obtain one. In either case the local Superintendent of Police, should request the Superintendent of Police, Lucknow, to send a relief immediately. Reliefs will accompany His Excellency's camp until returned by the Private Secretary. On the conclusion of a tour which ends in His Excellency's departure to Naini Tal, the Private Secretary will send the bicycle orderlies to the reserve lines at the headquarters of the district in which the tour ends, and will request the Superintendent of Police concerned to return them to Lucknow. The Superintendent of Police of any district visited by His Excellency will, at the request of the Private Secretary, have tents for the bicycle orderlies pitched in His Excellency's camp.

In certain districts and at the Police Training School the sanctioned allocation provides for the appointment of armed police constables as bicycle orderlies at the rate of 2 constables to each machine; and where two machines have been allotted, 5 constables, including one for the contingent reserve, have been provided.

CHAPTER VII.

MOUNTED POLICE.

69. The use of the mounted police should be confined to the following duties :—

- (1) Patrolling roads.
- (2) Escorting prisoners and treasure.
- (3) Conveying communications of special urgency.
- (4) Following up criminals.
- (5) Suppressing organized dacoity or other disturbances.
- (6) Sanctioned orderly duty.
- (7) Ceremonial escorts.
- (8) Traffic control duty.

Two mounted orderlies are allowed to each of the members of the Board of Revenue while on tour in the plains, and to Commissioners while on tour in their divisions.

Mounted orderlies will be given at all times on the requisition of Commissioners and District Magistrates to carry communications of special urgency.

70. The mounted police are formed into troops at certain headquarters from which they may be detailed to districts. They are required to keep up a thorough knowledge of the duties enumerated in paragraphs 74 and 75 and to keep their horses in good condition and their uniforms, arms and accoutrements clean, smart and serviceable.

71. The duties of sub-inspectors and head constables of the mounted police are similar to those of Indian officers and non-commissioned officers in the Army; they must be competent cavalry drill instructors, and are responsible for the efficiency of the men and horses in their troops.

A mounted head constable must be told off daily at headquarters as day officer in charge of horses. Sub-inspectors of the mounted police will take their turn with sub-inspectors of the armed police as day officers for the whole reserve. The mounted police will supply a quarter guard under a head constable over their lines.

72. At troop headquarters the reserve inspector shall keep up a roster of duty (form no. 97) for all men proceeding on outstation duty. All should be treated fairly in this respect. The troop sub-inspector shall keep up a daily roster for all men told off for duty at headquarters.

73. The Superintendent at troop headquarters will have all forces deputed to other districts carefully inspected before they leave. Superintendents and reserve inspectors of districts to which mounted police are deputed from the headquarters of troops are responsible that horses, accoutrements, horse-furniture and stable gear are kept in good condition. A parade should be held as soon as a force arrives, and deficiencies should be reported to the Superintendent of Police at troop headquarters. The Superintendent of Police at troop headquarters should hold a parade on the return of the force. A command certificate must be given to every force proceeding to or returning from an outstation.

Training of Mounted Police.

74. Mounted constables will be on probation for two years. Constables transferred from the foot police to the mounted police may count towards this probationary period any period of service they may have already had in the foot police up to a maximum of 18 months, but no constable transferred from the foot police to the mounted police shall be on probation for less than six months in the mounted police, whatever his length of service. At the end of their probationary period mounted constables will be confirmed if their conduct has been good and they satisfy the Superintendent of Police.

- (1) that they can ride well and handle a horse in a troop on parade efficiently;
- (2) that they can saddle and unsaddle a horse properly, that they can take the whole of their horse's equipment to pieces and put it together again, and that they can groom their mounts;
- (3) that they are proficient, both mounted and on foot, in the sword and lance exercise and in troop drill.

75. Members of the mounted police must also be trained in scouting and must be taught to carry out their duties singly and in sections. Horses must be taught to stand fire.

76. Under the orders of the Superintendent at troop headquarters constable of the mounted police may be sent to cavalry regiments to learn drill or to be trained as trumpeters. The rules are similar to the rules for constables of the armed police (see paragraphs 525—528), but arrangements for the training will be made by Superintendents at troop headquarters in direct communication with the commanding officers of the regiments concerned. Certificates for drill will be in form no. 88. The fee to be paid to a regiment for each man instructed is Rs. 4.

NOTE.—A trumpeter shall be attached to each troop.

77. In order to accustom horses to enter trucks and horse-boxes, Superintendents at troop headquarters should apply to the military authorities for permission to use, for practice, the horse-boxes which are kept in cantonments for the training of animals belonging to the mounted branches of the Army.

78. With the sanction of the Inspector-General previously obtained, members of the force may occasionally be sent to the veterinary school at Lahore for instruction in the treatment of horses.

CHAPTER VIII.

VILLAGE POLICE.

79. The village chaukidar is a village servant, whose chief duty is the watch and ward of the villages in his charge. He is required to carry reports for the village headman to assist him in tracing offenders, and to make arrests as authorized by law. He is responsible to the District Magistrate for the due performance of his duties. The rules relating to village headmen are in the Manual of Government Orders.

80. Village chaukidars are not prohibited from cultivating land, they must reside in one of the villages for which they are responsible. They must not be employed on menial duties by members of the constabulary force.

81. Village chaukidars must attend at their police station on fixed dates twice a month (see Chapter XXIV) for the purpose of reporting births and deaths; on one of these dates they must be given their pay.

82. Each village policeman shall be provided with a crime record book, an attendance board (made of wood), and a printed register of births and deaths; he shall keep all these three in the leather wallet supplied to him, which he must carry whenever he goes to the station.

The record book is for the entry by the station writer of occurrences of crime, or of reports that the chaukidar may have to make at the station, and of his rewards, punishment and good services; all entries regarding rewards, punishments and good or bad services must be signed by the officer in charge of the station. A list of all persons in the chaukidar's beat who are on history sheets will be entered in this record book and all reports made by the chaukidars of their absence from home will be noted therein.

NOTE.—Only crime of a kind requiring entry in the village crime note book should be shown in the record book.

The attendance board is for the record of attendance at the station, and shall be written up at the time of attendance by the station writer. The board must show every attendance since the last annual inspection of the station by a gazetted police officer. For this purpose each side of the board will be ruled into six columns, one for each month. The rules for the reporting of births, deaths and epidemics by village chaukidars will be found in Chapter XXIV.

For the duties of village chaukidars in the matter of inquests held by village panchayats see Chapter XI. For their duties in regard to surveillance see Chapter XIX.

83. Village police must assist in police escort duty, when required to do so by a member of the constabulary force.

84. The following rules limit the supply of village policemen for the watch and ward of camps of officers on tour:—

I.—The number of chaukidars allowed shall not be less than two; for large camps the number may be increased, but shall not exceed six.

II.—No chaukidar shall serve more than two days in any week, or for more than one night at a time, on this duty.

III.—Chaukidars should be selected from the neighbourhood of the camp in such a way as to leave as few villages as possible without chaukidars.

IV.—The special allowance due to chaukidars who leave their beats to guard escort camps of touring officers must be promptly paid by the touring officers concerned. Station officers must report to the Superintendent any instances of neglect on the part of touring officers in this respect.

When village chaukidars are deputed to guard the railway line for viceregal special trains or are employed on any other duties connected with viceregal visits they should be paid daily allowance at the rate of six annas a day from the grant for the rewards for village chaukidars in addition to their pay, provided that no substitutes are entertained for them.

The Inspector-General can create temporary posts of chaukidars on pay not exceeding annas eight per diem for permanent chaukidars who are deputed for duty in connexion with viceregal visits, when such duty entails their absence from their villages for more than six days. In such cases it will be for the Superintendent to consider whether substitutes should be appointed and if he considers it necessary to employ substitutes he should obtain previous sanction to their appointment from the office of the Inspector-General of Police, and in that case the ordinary pay of the chaukidars deputed will be paid to the substitutes, while the permanent chaukidars themselves will be paid annas eight a day inclusive both of pay and reward from head "chaukidars" subordinate to "Village Police" in the budget.

35. Village chaukidars should be furnished with a supply of printed forms no. 44 for written reports of cognizable offences and for lists of stolen property, and should be instructed to give a form to every person who requires one for use, and to take the form, after it has been filled up and signed by the complainant to the police station, if requested by the complainant to do so. It should also be explained to village chaukidars that complainants are not compelled to make their reports in writing. Whenever a chaukidar brings a written report to the police station, he should take back to the complainant the duplicate copy of the check receipt.

36. The District Magistrate may dismiss village chaukidars under section 10 of the Village and Road Police Act XVI of 1873 or section 36 of the Oudh Laws Act XVIII of 1876. Good conduct stripes and allowances may be withdrawn from them (see paragraph 446). They are liable to prosecution under section 11 of Act XVI of 1873 or section 37 of Act XVIII of 1876.

PART II.

Particular duties.

CHAPTER IX.

REPORTS MADE AT POLICE STATIONS.

57. Whenever information relating to the commission of a cognizable offence is given to an officer in charge of a police station, the report should immediately be taken down in triplicate in the check receipt book for reports of cognizable offences (Police form no. 341). This step should on no account be delayed to allow time for the true facts to be ascertained by a preliminary investigation. Even if it appears untrue, the report must be recorded at once. If the report is made orally, the exact words of the person who makes it, including his answers to any questions that are put to him, should be taken down and read over to him; he must sign each of the three parts, or, if he cannot write, he must make his mark or thumb-impression. If a written report is received, an exact copy must be made, but the signature or mark of the messenger need not be taken. In all cases the officer in charge of the station must sign each of the three parts, and have the seal of the station stamped on each. The triplicate copy will remain in the book; the duplicate copy will be given to the person who makes the oral or brings the written report; the original will be sent forthwith through the Superintendent of Police to the Magistrate having jurisdiction with the original written report (if any) attached.

The practice of delaying first information reports until they can be sent to headquarters attached to special or general diaries is contrary to the provisions of the Criminal Procedure Code and is prohibited.

If there is an Assistant or Deputy Superintendent in charge of the sub-division, and stationed at a place other than the headquarters of the district, the original should be sent through him to the Magistrate.

58. As soon as the report has been written in the first information book, the substance of the report must be briefly recorded in the general diary. If the village chaukidar is present and the crime requires entry in his crime record book, the entry should then be made. The entries in the first information report, the general diary and the chaukidar's crime record book must be made at once, even if the report is received at night. The village crime note-book, crime register and the register of property should be written up within 24 hours if the report entails the making of entries in these registers.

59. If an officer in charge of a station receives an oral report of a cognizable offence when he is away from the station house, and wishes to begin the investigation at once and cannot dispense with the attendance of the person who made the report, he should take the report down in writing and, after having it signed or marked by the person who made it, should send it to the police station to be treated as a written report.

60. Whenever the occurrence of an offence of any of the following kinds is reported—

- (1) dacoity,
- (2) robbery, except unimportant cases such as snatching earrings,

- (3) torture by police,
- (4) escape from police custody,
- (5) forging of currency notes,
- (6) manufacture of counterfeit coin,
- (7) serious defalcations of public money, including thefts of notes or hundis from letters,
- (8) important cases of murder, poisoning, burglary and theft, breaches of the peace between Europeans and Indians, and other cases of special public interest,

copies of the report should be sent immediately in red envelopes to the Superintendent, the District Magistrate, the Sub-Divisional Magistrate and the circle inspector by post or hand, whichever may be the quicker method of conveyance. The telegraph, when available, and the departmental telegraphic code, copies of which have been supplied to all police stations near telegraph offices, should also be used to give the Superintendent early news of such offences.

91. When a report is made of a non-cognizable offence, the important portions of the report should be recorded in the check receipt book for reports of non-cognizable offences (police form no. 347). The informant should be required to sign or affix his mark to each of the two copies, and the duplicate copy should be given to him, the original remaining in the book. The substance of the report should be entered in the general diary and, if the report is in writing, the paper containing it should be attached to the diary. The informant should also be referred to the magistrate, as required by section 155 of the Code of Criminal Procedure.

92. The responsibility imposed on the officer in charge of a police station by sections 154 and 155(1) of the Code of Criminal Procedure for the correct recording of all reports of crime, whether cognizable or non-cognizable will be enforced, and he must countersign all reports of either kind recorded.

CHAPTER X.

INVESTIGATIONS.

93. When a report of a cognizable offence is received, the officer in charge of the station must decide whether an investigation is desirable. In exercising the discretion allowed by section 157(1) (b) of the Code of Criminal Procedure, he should consider whether the case is not one for the civil rather than for the criminal courts, and whether action on the part of the police is necessary in the interests of the administration or expedient for the preservation of law and order.

No investigation should be made if the subject matter of the complaint appears to fall within the scope of section 95 of the Indian Penal Code, or if the complainant appears to be setting up a technical offence or exaggerating a trivial occurrence in order to obtain the help of the police in prosecuting a quarrel.

No investigation should be made in the following circumstances, except on the order of the Superintendent of Police in any particular case, or with the concurrence of the Deputy Inspector-General of the Range, in respect of any particular class of offence in any particular area:—

- (1) In cases of petty theft or burglary, unless there is reason to believe that professional criminals have been concerned or the criminal has been arrested and the complainant desires prosecution.
- (2) In cases under sections 324 and 325 of the Indian Penal Code.
- (3) In cases under section 147 of the Indian Penal Code, unless grievous hurt has been caused or there is danger of a further serious breach of the peace.
- (4) In cases under sections 341 to 344 (unless the confinement continues at the time when the report is made), 354, 447 and 448 of the Indian Penal Code.
- (5) In cases under sections 406 and 420 of the Indian Penal Code, when there is *prima facie* evidence that the case is of a civil nature.

NOTE.—In all cases of hurt, inflicted with a deadly weapon, the officer in charge of the station should consider whether the circumstances are such as to justify the registration of a case under section 327 or 328 of the Indian Penal Code. Cases registered under either of these sections must be promptly investigated as a matter of course without the order of the Superintendent of Police or the report of the medical officer being awaited.

94. Whenever the officer in charge of a station decides that a cognizable case will not be investigated, he must, in order to comply with the provisions of section 157(2) of the Code of Criminal Procedure, enter on the original and triplicate copies of the first-information-report his reasons for not investigating the case and must also note on the duplicate copy which will be given to the person who has made the report the fact that no investigation will be made. Whenever he makes or orders an investigation otherwise than on the order of the Superintendent of Police into any case of any of the classes enumerated in clause 3 of paragraph 93, he must record in the general diary his reasons for doing so.

95. Investigations should ordinarily be carried out and completed on the spot, except in cases falling under section 157(1) (a) of the Code of Criminal Procedure. If, however, the scene of the offence is close to the police station, as in towns, and the case is not covered by section 157 (1) (a), the investigating officer may, after visiting the spot, return to the police station to complete the investigation.

Any police officer proceeding on an investigation of a serious offence is permitted by the railway authorities to travel by the first available train, passenger or goods, but he may not stop it out of course.

95. An investigating officer is not to regard himself as a mere clerk for the recording of statements. It is his duty to observe and to infer. In every case he must use his own expert observations of the scene of the offence and of the general circumstances to check the evidence of witnesses, and, in cases in which the culprits are unknown, to determine the direction in which he shall look for them. He must study the methods of such local offenders as are known to the police with a view to recognizing their handiwork if ever it should come before him, and he must be on his guard against accepting the suspicions of witnesses and complainants when they conflict with obvious inferences from facts. He must also remember that it is his duty to find out the truth and not merely to obtain convictions. He must not prematurely commit himself to any view of the facts for or against any person, and though he need not go out of his way to hunt up evidence for the defence in a case in which he has satisfactory grounds for believing that an accused person is guilty, he must always give accused persons an opportunity of producing defence evidence before him, and must consider such evidence carefully if produced. Burglary investigations should be conducted in accordance with the special orders in force on the subject.

97. The first step of the investigating officer should be to note in the case diary prescribed by section 172 of the Code of Criminal Procedure the time and place at which he has received the information on which he acts, and to make in the diary a copy of the first information-report. When beginning his investigation he must note in the diary the time and place at which he begins it. He should then inspect the scene of the alleged offence and question the complainant and any other persons who may be able to throw light on the circumstances. At an early stage of the investigation he should consult the village-crime-note-book to learn of any matters recorded there which may have a bearing on the case.

98. The case diary must contain the particulars required by section 172 of the Code of Criminal Procedure in no more detail than is absolutely necessary to enable a supervising officer to understand the facts. A note should be made in it as to whether the complainant confirms his first information report, and the substance of any supplementary statement he makes to the investigating officer should be briefly recorded. As regards the statements of witnesses, it will ordinarily suffice to note in the diary the names of all persons examined with a brief summary of the evidence offered by each. The statements of accused persons only should be recorded in full. When investigation is closed for the day, the time and place at which it is closed must be noted, and throughout the investigation the diary must be sent daily to the Superintendent on all days on which any proceedings are taken. If the investigating officer is not himself in charge of the station, the diary must be sent through the officer in charge, except when this will cause delay. All changes of investigating officer must be recorded in it. If more officers than one are investigating the same case independently at the same time, each should keep a separate diary. The provisions of sections 162 and 173 of the Code of Criminal Procedure must be carefully studied. In petty cases a very short case diary will ordinarily be sufficient.

99. The stage of the proceedings at which the investigating officer arrests a suspected person under section 54 of the Code of Criminal Procedure is left to his discretion; he may watch a suspect, but may not restrict his movements without arresting him or compel him to remain in attendance as a witness.

100. A police officer about to conduct a search under the Code of Criminal Procedure or any other law must, before entering the place to be searched, satisfy the owner or occupier of the premises, if present, and the witnesses called under section 103 of the Code of Criminal Procedure, that neither he nor any other member of the search party, including the informer, if present, has anything incriminating concealed about his person. No informer should be allowed to enter a place which is to be searched unless it is impossible to dispense with his assistance. Searches made under the Arms Act, Excise Act, Opium Act or Code of Criminal Procedure may be made by day or night. Searches under the Salt Act (XII of 1882) may be made only by day.

101. Persons from whom inquiries are made by the police should not be unnecessarily harassed or detained. If any person summoned under section 103 or 160 of the Code of Criminal Procedure requests that the period of his attendance be put on record, the investigating officer shall comply by making an entry on the foil and counterfoil of the order form no. 7.

102. Inquiries in which public or railway servants are concerned either as accused or witnesses should be so conducted as to interfere as little as possible with their official duties ; and although section 72 of the Code of Criminal Procedure does not compel a police officer to give notice to the official superiors of such servants when requiring them either, under section 170, to attend as witnesses before courts or, under section 160, to appear for examination by the police, such notice should, whenever possible, be given ; and no public or railway servant should ordinarily be required to leave his duties for the purpose of an investigation until reasonable opportunity has been allowed to his official superior to arrange for his relief.

103. A plan of the scene of occurrence should be made by the investigating officer in every case of murder, dacoity or important burglary, and in any other case in which such a plan will help a court or a supervising police officer to a proper understanding of the facts. If the investigating officer is unable to prepare a plan with the necessary accuracy, he should, if possible, have one made by a patwari. A plan should always be signed by the person making it.

104. The officer investigating a case in which a person has been so seriously injured that he is likely to die before he can reach a dispensary where his dying declaration can be recorded, should himself record the declaration at once in the presence of two respectable witnesses, obtaining the signature or mark of the declarant and witnesses at the foot of the declaration.

105. In all cases in which there is any likelihood that suspects will at any stage have to be paraded for identification by witnesses, the investigating officer must take steps from the very beginning of his investigation to ensure that the witnesses are given no opportunity of seeing the suspects before identification proceedings are held. Such proceedings should, whenever possible, be postponed until they can be held in the jail under the provisions of the Manual of Government Orders and paragraph 31 of these regulations, for the due observance of which as far as the police are concerned, the prosecuting inspector will then be responsible. When identification proceedings cannot be held in the jail owing to there being no sufficient evidence on which the suspects can be arrested or for any other reason, the instructions referred to above must be followed by the investigating officer as far as they can be made applicable. In such cases the proceedings should take place before a magistrate, as they would if they were held in the jail, or, if no magistrate is available, before two respectable and impartial persons who should be asked to satisfy themselves that the proceedings are fair both to witnesses and to accused. In any case of importance, when no magistrate is available to conduct identification proceedings not held in the jail, a gazetted police officer should arrange to attend.

106. In important cases the practice of having articles of property, recovered from suspects and suspected to be stolen, mixed up with other articles of a similar nature when the property is shown to complainants for identification may often be followed with advantage. In such cases precautions should be taken similar to those laid down for observance in the case of identification parades of accused persons; the person before whom the identification is held must be above suspicion, and it will be essential to prove that neither the property suspected, nor that with which it has been mixed, could have been seen by the witnesses beforehand.

107. When it is established that a person has committed an act which would be a cognizable offence if done by a person in a sound state of mind, it is not for the police to determine whether a defence can be made out on the ground of insanity. This question will be determined by the court. The accused should be sent for trial and his mental condition should be mentioned in the diary.

108. When a confession is to be recorded under section 164 of the Code of Criminal Procedure, the magistrate should be asked to put questions to the person making it with a view to eliciting as many details as possible by which its truth can be verified. Unless independent corroborative evidence can be obtained of its truth in material particulars, it will be of little use in court. The primary use of a true confession is to determine the future lines of conduct of the investigation.

109. Every confession which a person in police custody wishes to make shall be recorded by the highest magistrate other than the District Magistrate who can be reached in a reasonable time. Only magistrates of the first class and magistrates of the second class specially empowered by the Local Government are authorized to record confessions. Confessions in important cases of cacoity, as also in other serious cases whenever possible, should be recorded by the District Magistrate or by a magistrate of some standing, preferably the joint magistrate of the district, in no matter what part of the district the scene of occurrence may lie.

110. A remand to police custody should not be applied for or given unless the officer making the application is able to show definite and satisfactory grounds for it. A general statement that the accused may be able to give further information should not be accepted. Applications for remand to police custody must be made through the Superintendent of Police or gazetted police officer in charge of a sub-division, and may be addressed only to magistrates of the status required by section 167 of the Code of Criminal Procedure. Suspects must not be made over by the police to zamindars or other non-officials for the purpose of inducing confessions.

111. When an investigation is complete the investigating officer must comply with the provisions of sections 168—171 and 173 of the Code of Criminal Procedure. The report prescribed by section 173 must, under that section, be sent through the officer in charge of the station, and should be in the form of the charge sheet no. 339, if the case is sent for trial, and in the form of the final report no. 340, if the case is not sent for trial. The charge sheet should ordinarily be submitted together with the final diary in the case, direct to the court concerned and a report that this is being done should be sent separately to the Superintendent of Police. The final report should be sent through the Superintendent of Police. Information of the result of investigation must, as required by section 173, be sent by the station officer to the complainant, if any, by postcard in the prescribed form at the same time as the charge sheet or final report is sent to court.

112. Particulars as to any previous convictions of an accused should be noted in column 7 of the charge sheet. If the accused resides in another police

station of the same district, the officer in charge of that station should be asked to give details of his previous convictions (if any) and to send them to the prosecuting inspector direct if time is short.

113. When any complaint of an offence, cognizable or non-cognizable, of which a magistrate has taken cognizance under section 190(a) of the Code of Criminal Procedure, is referred by him under section 202 to the police for investigation, the Superintendent of Police or the gazetted police officer in charge of the sub-division must satisfy himself before forwarding the complaint to the police station concerned that the provisions of sections 200 and 202 of the Code of Criminal Procedure have been fully observed. No case in which the statement of the complainant has not been taken on oath by the magistrate under section 200, or in which the magistrate has not, under section 202, recorded his reasons for holding that police investigation is necessary, can legally be sent to the police for investigation. All such cases, and all cases in which the reasons recorded for sending the complaint to the police are *prima facie* invalid, should be brought to the notice of the District Magistrate by the Superintendent of Police before any further action is taken. Investigations which the police are justifiably ordered by magistrates to make into complaint cases under section 202 should be made as promptly as circumstances allow; but in so far as it is a question of finding time for such investigations, cases which are registered and investigated by the police under section 157(i) of the Code of Criminal Procedure will ordinarily take precedence of complaint cases which are sent to them by magistrates.

114. All cases in which there is any reason to suspect that an Indian has been killed or wounded by British soldiers must be investigated by the Superintendent of Police himself unless a magisterial inquiry is made by an officer of not less than four years' standing as a Justice of the Peace. Compare also paragraph 340 of these regulations.

115. Any analysis of the work of investigating officers by the application of statistical tests is objectionable and encourages dishonesty. The Superintendent of Police should impress on officers of all ranks subordinate to him that their efficiency will not be judged by statistical tests, but by the manner in which they perform their duties.

116. The following instructions have been given by Government to the Postal department (see *Police Gazette* of March 18, 1891). "Production of records before the Police:—

Records of a post office should be produced, and information available in them should be given, on the written order of any police officer who is making an investigation under the Code of Criminal Procedure; but only those entries in the records should be disclosed which relate to the person or persons accused of the offence under investigation, or which are relevant to that offence. In any other case the postmaster should, without delay, refer for orders to the Postmaster-General, who will decide whether or not under section 124 of the Indian Evidence Act (I of 1872) the information asked for should be withheld.

NOTE.—When the information asked for by a police officer is not available in the records of the post office, the police officer should be informed accordingly, irrespective of the question whether the information, if available, might or might not be given under the foregoing rule.

117. In any locality in which there is an outbreak of thefts from goods trains the Superintendent of the Government Railway Police will inform the superintendents of police of the districts concerned, and all future cases will be intimated to and registered by the district police in the headquarters crime register and in the crime registers of the police stations concerned, until the outbreak of crime is stopped. The crimes will be registered by the district police under Government Railway Police numbers, the entries being made in red-ink. The officer in charge of a district police station where a theft from a goods train is

registered under this rule shall at once endeavour to ascertain what bad characters were absent from their villages on the night of the theft: if there are sufficient grounds for such action he should search the houses of suspected railway thieves for the stolen property. He should record his proceedings in a case diary which should be sent to the Superintendent, Government Railway Police, for information after perusal by the Superintendent of Police of the district.

CHAPTER XI.

INQUESTS, POST-MORTEM EXAMINATION, AND TREATMENT OF WOUNDED PERSONS.

118. Under section 45 of the Code of Criminal Procedure the village chauki ~~dar~~ is required to report at the police station the occurrence in or near his village of any sudden or unnatural death or of any death under suspicious circumstances or the discovery in or near his village of any corpse or part of a corpse in circumstances which lead to reasonable suspicion that such a death has occurred. When such a death appears to be a suicide or to have been caused by an animal or by machinery or by an accident he must, before proceeding to the police station, report the death to the *sarpanch* or other member of the village panchayat (if constituted under the Village Panchayat Act, 1920), and must ascertain whether an inquest will be held under the rules under section 75 (13) of the Act. He must then report immediately at the police station, and if an inquest is being held by the village panchayat, he must take to the *panchayat* the order of the station officer which will either direct the *panchayat* to keep the body until his arrival to inquire, or authorize them to dispose of the body, if they themselves are satisfied that there is no reason to suspect foul play.

✓ *Panchayats* have been directed in such cases to await these orders.

✓ **119.** The following are the rules made by the local Government under the Village Panchayat Act :—

- (1) On receiving information of a suicide or of a death caused by an animal or by machinery or by an accident, the *sarpanch* shall immediately assemble the *panchayat* or as many members thereof as can be assembled.
- (2) The *sarpanch* and the other present members (if any) of the *panchayat* shall then—
 - (a) examine the body and have it identified and record a description of the body, and
 - (b) examine and record the place where the death occurred, and
 - (c) inquire into the circumstances of the death, especially with a view to ascertaining whether the death was a suicide or was caused by an animal or by machinery or by an accident, or whether there is any reason to suspect foul play, and
- (d) prepare for transmission to the police station a brief report in form no. VIII which shall be signed or marked by the *sarpanch* and by all members of the *panchayat* present at the inquiry and shall contain the following information :—
 - (i) date and time of the receipt of the report of the death, and
 - (ii) approximate date and time of death, and
 - (iii) name, parentage, caste, sex, and age of the deceased, and
 - (iv) the result of examination of the body, any marks of injury being specially noted, and it being stated in what manner or by what weapon or instrument (if any) such marks appear to have been inflicted, and

(v) the result of the inquiry, including an opinion as to the cause of the death and as to whether the death was a suicide or was caused by an animal or by machinery or by an accident, or whether there was any reason to suspect foul play, and including the grounds on which this opinion is based, and

(vi) date and time of the completion of the report.

(3) If the opinion recorded in the report is that there is no reason to suspect foul play, the report shall be made over to the chaukidar as soon as possible for transmission to the police station.

(4) But if the opinion recorded is that there is reason to suspect foul play, the sarpanch shall at once arrange for the immediate despatch of the report to the police station by hand of any person available.

If the person bringing the report of the *panchayat* to the effect that the death has occurred in circumstances raising suspicion of foul play is not a village chaukidar, he shall be paid dieting allowance.

120. All sub-inspectors and such head constables as may be specially selected by the Superintendent of Police, are empowered by the local Government to make inquiries under section 174 of the Code of Criminal Procedure; provided that when a report is made by the village chaukidar at the police station that a suicide has taken place or that death has been caused by an animal or by machinery or by an accident and that an inquest is being held by the village *panchayat* under the rules under section 75(13) of the Village Panchayat Act, no investigation need be made by the police unless a report is received from the *panchayat* that death has occurred in circumstances raising suspicion of the commission of an offence. When in these circumstances no police investigation is made, the station officer must note the fact that no investigation is being made on the inquest report received from the village *panchayat*, and must forward this report to the magistrate concerned without delay.

121. Investigation by the police under section 174 of the Code of Criminal Procedure should, when made, if possible be made before the body is touched or moved. The inquest report should be in form no. 211. In cases in which there is no doubt that death was due to an accident or suicide and in which inquiry is concluded in one day, this form may be used both as the inquest report under section 174, Code of Criminal Procedure, and as the case diary prescribed under section 175.

122. Whenever the sudden or unnatural death of a European is reported, the officer in charge of the station shall immediately send urgent information to the Superintendent, and the report required by section 174 of the Code of Criminal Procedure shall be made by a European officer. Unless death has been caused by violence, the marks of which are apparent, no Indian officer shall examine the body; under no circumstances shall any examination be made when the deceased is of the female sex, but a police officer not below the rank of head constable shall remain with or accompany the body until the magistrate's orders are received.

123. When death is known or suspected to be due to the commission of a cognizable offence, or when for any other reason the investigating officer considers it expedient so to do, he shall send the body for post-mortem examination if the state of the weather and the distance admit of its being forwarded without risk of such putrefaction on the road as would render examination useless.

124. The finger impressions of all unidentified corpses should be taken on search slip forms and sent to the Finger Print Bureau for search. Similarly, where death is known or suspected to be due to the commission of a cognizable

offence, and where there is any possibility that finger impressions, if subsequently found on the scene of the crime may become material to the investigation, the finger impressions even of an identified corpse should be taken on a search slip in order that they may be compared with any finger impressions found at the scene of the crime before time is wasted in using the latter as a basis of search for the culprit.

Ordinarily there is not much difficulty in taking impressions from the finger of a corpse, but it sometimes happens that the skin of the fingers is so contracted and wrinkled that decipherable prints cannot be obtained. In such cases the medical officer holding the post-mortem should be asked to remove the skin from the fingers. He should place each piece in a separate sealed envelope, marking on the outside the finger to which it belongs. These envelopes should then be sent to the Finger Print Bureau for opinion.

The finger prints of corpses should invariably be taken under the supervision of an officer not below the rank of sub-inspector. Prints of all fingers must be taken, and the supervising officer will certify by his signature on the search slip that the impressions have been correctly taken in his presence. The supervising officer will note in the remarks column of the search slip the condition of the body, whether in an advanced stage of decomposition or otherwise.

✓ **125.** The following steps shall be taken by investigating officers to assist medical officers in making examinations of dead bodies and injured persons :—

I.—In cases of suspected poisoning.

A.—The following substances and articles should be collected and dealt with as prescribed in paragraph 127 :—

- (1) Any food or drink taken by the person supposed to have been poisoned.
- (2) Any vomited matter which may be on the person or bed ; this should be carefully swabbed up with a rag.
- (3) Any clothing, mitting, wool, mud, or other substance into which any vomited matter has soaked.
- (4) The contents of any vessel containing vomited matter ; this should be carefully put into a bottle.
- (5) The ashes of the funeral pyre in the event of cremation.

B.—Information on the eight following points should be elicited as early as possible and entered in the case diary in due order :—

- (1) The interval between the last time that the person who is supposed to have been poisoned ate or drank anything, or took any medicine, and the first appearance of symptoms of poisoning.
- (2) The interval between the last time of eating or drinking either food or medicine and the occurrence of death (if death occurred)
- (3) Whether the person moved from the place where the first symptoms were noticed, and, if so, how far he went.
- (4) What were the first symptoms of poisoning.
- (5) Whether vomiting or purging occurred.
- (6) Whether the person fell asleep or became drowsy.
- (7) Whether any cramps or twitching of the limbs were observed, or whether the patient complained of the tingling of the skin or throat,
- (8) Any other symptoms noticed,

In cases of suspected human poisoning a short account of the facts of the case should be given in the following form for the guidance of the Chemical Examiner when the substance is transmitted for analysis:—

- (1) Name, sex, and age of patient.
- (2) Nature of food last taken.
- (3) How soon after this meal did the symptoms of poisoning begin?
- (4) Did the patient walk from the place where he was first taken ill? If so, how far?
- (5) Did the patient complain of pain or discomfort?
- (6) Was there purging?
- (7) Was there vomiting?
- (8) Did the patient become unconscious? If so, how soon did this occur after the onset of the symptoms?
- (9) Was the patient dizzy or faint?
- (10) Did convulsions or cramps occur?
- (11) Did the patient complain of tingling of the skin or throat?
- (12) Did the patient talk sensibly or foolishly?
- (13) Did the patient pick at objects on the ground or bed?
- (14) Was any treatment adopted? If so, what was its nature?
- (15) Did death occur, and, if so, how soon after the illness began?
- (16) What poison is supposed to have been used?

Information on the above points should be forwarded to the District Magistrate before the latter officer sends the substance for chemical analysis.

N.B.—Wherever possible, a report by a medical officer who has seen the case should be added, which should contain his opinion as to the nature of the poison used. Any information given by friends and neighbours should also be noted.

II.—In cases of hanging or strangulation.

(1) If possible, before the body is cut down or removed, the means of strangulation should be noted and any lividity of face, especially of lips and eyelids, any projection of the eyes, the state of the tongue, whether enlarged and protruded or compressed between the lips, the escape of any fluid from mouth and nostrils, and the direction of its flow.

(2) When the body is cut down, or the means of strangulation removed, the state of the neck should be noted, whether bruised along the line of strangulation, and the direction of the mark, whether it is circular or oblique, and the state of the thumbs, whether crossed over the palm.

(3) The materials by which hanging or strangulation has been effected should, if possible, be obtained and dealt with as prescribed in paragraph 128.

III.—When a body is found in a tank or well, the following points should be noted.

- (1) Any marks of blood around the mouth of the well or tank or on the sides.
- (2) When the body is removed, any external marks of injury, especially about the head and neck.
- (3) Whether the skin is smooth or rough.

The hands should be examined and anything they may hold should be carefully removed.

IV.—In the case of a body found murdered.

- (1) The number, character, and appearance of any injuries should be noted.
- (2) If a weapon is found, it should be wrapped in paper and sealed; any marks of blood on it and any adherent hairs should be noted and preserved.
- (3) In the case of an exposed infant, the state of the chord, especially whether it is tied, and any marks of violence should be noted.

V.—In the case of a presumed murder, and burial or cremation of the remains.

- (1) Any marks of violence, especially about the skull, should be sought for and noted.
- (2) Any indications of sex should be noted; and a jaw and the bones of the pelvis at least brought away.
- (3) If there is any suspicion of poisoning, the earth from the place in which the stomach was found should be carefully taken up and dealt with as in paragraph 128.
- (4) If a body presumed to have been murdered has been burned, any fragments of bones which may be found among the ashes should be collected and dealt with as in paragraph 128.

VI.—In cases in which an opinion on the nature of stains on clothes is required, the stains should be allowed to dry before the clothes are folded up.

In the case of blood stains or spots on mud floors or hard earth, etc., the piece containing the suspected stain should be cut out and wrapped in cotton wool before it is disposed of as in paragraph 128.

126. All dead bodies of which an examination is required shall be sent to the headquarters of the district, except from the places enumerated in the Manual of Government Orders.

In the case of a body sent for examination by the Government Railway Police to the headquarters of a district (other than the headquarters of the Superintendent of a section) it shall rest with the Superintendent of Police of the district concerned to decide whether a post-mortem examination is actually necessary.

Should the district Superintendent not consider a post mortem necessary or desirable, he should report fully to the Superintendent of the section concerned his reasons for not forwarding the body to the Civil Surgeon.

127. The following procedure shall be observed when a body is sent for post-mortem examination:—

- (1) The body shall be laid in the shell in the state in which it has been found. No substance should be applied to it in the hope of delaying decomposition.
- (2) The body shall be accompanied by a police constable and a chaukidar. If the thana is over 20 miles distant from the medical officer, the constable and chaukidar may be relieved at one or more intermediate stations; but the number of reliefs should be kept as low as possible.
- (3) The names of the police constable and chaukidar and of relieving constables and chaukidars, if any, shall always be entered in police form no. 13.
- (4) The constable accompanying the body shall be given from the permanent advance of the station a sum sufficient to pay the coolies and other necessary expenses, and a cheque in form no. 11 for the realization of the money at headquarters, if the body is being sent there.

- (5) The constable shall be instructed by the officer sending in the body to make it over to the medical officer with the usual requisition; he will remain in charge of the body until the medical officer has completed the examination, and will arrange for the disposal of the remains in the absence of relatives of the deceased.
- (6) The investigating officer shall prepare in duplicate a descriptive roll of the body, containing particulars of identification distinct from any injuries that may be apparent. He shall give one copy of this roll to the constable accompanying the body, and send the other by post to the police officer in charge of headquarters.
- (7) Besides this descriptive roll, there shall be sent with the body a statement in vernacular in form no. 13, which must be prepared with the utmost care. From this, if the body is sent to headquarters or to any other place where there is an English police office, a statement in English, also in form no. 13, will be prepared in that office and will be forwarded to the medical officer, with a requisition for post-mortem examination in form no. 33 and a translation of the investigating officer's report on the appearance and situation of the body and on the cause of death as far as the investigating officer has been able to ascertain it. If there is no English police office at the place to which the body is sent, the only papers delivered to the medical officer will be those sent with the body by the investigating officer.

NOTE.—The Superintendent is authorized to call on the Civil Surgeon to make a post-mortem examination.

- (8) The constable and chaukidar shall identify the body in the presence of the medical officer before the post-mortem examination is made.
- (9) A translation of the Civil Surgeon's report should be made in the Superintendent's office as soon as possible, and a copy of the translation despatched to the officer in charge of the police station.

✓ 128. (1) All substances or articles connected with the commission of an offence which may be required as evidence at a trial should be sent with an invoice by the investigating officer to the prosecuting inspector in a sealed cover with the contents noted outside. The prosecuting inspector shall sign the invoice to show that he has received the parcel and shall make an entry for it in his register. The invoice should show the name of the constable who has brought the sealed cover.

(2) If no medical or chemical examination of the article is required, the prosecuting inspector shall keep until it is wanted for production in court.

(3) If the article is one of which examination by the Civil Surgeon or Chemical Examiner appears to be necessary, the prosecuting inspector shall send it to the Civil Surgeon with a letter requesting him to examine it. The prosecuting inspector shall note in his register the agency by which the parcel is sent and shall obtain the Civil Surgeon's receipt for it.

(4) On receiving the parcel, the Civil Surgeon will open it and inspect the contents. If he finds that he can examine them, he will do so, and unless they consist of offensive matter such as stomach washing, vomit or viscera, he will return them with the report of his examination to the prosecuting inspector, who will produce the report and the contents of the parcel, if returned, when required by the court to do so. If the contents are of such a nature that chemical examination appears desirable, the Civil Surgeon shall inform the court to that effect and retain the contents until orders from the court are received.

(5) On receipt of orders from the court requiring him to send the contents to the Chemical Examiner, the Civil Surgeon shall proceed as laid down in the rules on the subject contained in the Manual of Government Orders.

(6) If the court intimate that it does not consider an examination by the Chemical Examiner necessary, the Civil Surgeon shall return the contents of the parcel to the court for disposal, obtaining a receipt for it from the court.

The Civil Surgeon shall be the custodian of substances of an offensive nature as long as the medical analysis is under consideration. Once the analysis has been made and the report and substances have been presented in court, the police should take charge of the exhibits, which should be kept in the malkhana.

129. Wounded persons shall be conveyed to headquarters, or in certain districts to the places mentioned in the Manual of Government Orders, if their injuries are very severe or dangerous and they are able to bear the journey otherwise they may be sent to a mufassil dispensary if there is one nearer. If the wounded person is sent to the headquarters of the district or to a place where there is an English police office, form no. 34 will be prepared there; otherwise form no. 34A will be prepared by the officer in charge of the station.

In large towns the Superintendent of Police should prescribe the route to be followed when a corpse is taken to the mortuary; a copy of these orders should be kept at every police station in the district.

130. The medical officer should give an abstract of his report to the constable accompanying the injured person or dead body for communication to the investigating officer. The constable should be instructed by the investigating officer to ask for such an abstract.

131 A shell for the conveyance of corpses and a covered stretcher for carrying wounded persons are provided for each police station, including all railway police stations. The shells for dead bodies shall never be used for carrying wounded persons.

The covered stretcher should be a common country *chirpai* with *duli* poles attached in the usual way, and a blanket thrown over the polo for shade.

132. No person may be sent by the police for medical examination against his will. No person should be sent for examination to an employee of the Dufferin Fund.

133. For rules regarding the despatch of substances to the Chemical Examiner and to the Imperial Serologist, Calcutta, of articles believed to be blood stained which are exhibits in certain criminal cases, see Manual of Government Orders.

CHAPTER XII.

ARREST, BAIL, AND CUSTODY.

134. Any police officer may cause any person whom he is empowered to arrest under section 54 (1) of the Code of Criminal Procedure to be arrested by giving to any other police officer enrolled under the Police Act (V of 1861) the information which will justify that officer in making the arrest in the exercise of his own powers under that section. For the purpose of section 54(1) a telegram may be considered to furnish credible information of a person having been concerned in a cognizable offence. The officer in charge of a station or any officer making an investigation under Chapter XIV of the Code of Criminal Procedure may also cause any person whom he is empowered to arrest under section 54 to be arrested by issuing an order in writing under section 56 to any officer subordinate to him. The officer in charge of a station may similarly issue an order in writing under section 56 against any person whom he is empowered to arrest under section 55.

135. A police officer may follow to any place in British India an offender whom he is empowered to arrest. For the procedure to be observed where Indian States are concerned, see Chapter XXIII.

136. When a railway servant, whose removal from duty would disorganize the working of the railway, has to be arrested, his arrest should ordinarily be deferred until he is relieved; but he may be arrested and allowed to carry on his duties under guard, if it is advisable to place him under restraint at once.

137. The power of arrest given to police officers by section 34 of Act V of 1861 should not be exercised in the case of a person whose name and address are known. Such a person should be called upon to execute a bond to appear before a magistrate if required.

138. When an accused person is arrested by a private person and brought to the police station, he must be re-arrested by the officer in charge of the station or released in accordance with the provisions of section 59 of the Code of Criminal Procedure.

139. The restrictions imposed by sections 61 and 167 of the Code of Criminal Procedure on the period for which persons arrested without warrant may be detained in police custody must be strictly observed. The report required by section 62 of the Code of Criminal Procedure must be made within 24 hours of the arrest in the charge sheet or final report, or separately, as may be most convenient.

140. When any person is arrested in the course of an investigation, the investigating officer shall as the first step in the investigation subsequent to the arrest ask him whether he has any complaint to make of ill-treatment by the police and shall record in the case diary both question and answer. He shall also there and then, subject to the consent of the prisoner, examine the prisoner's body to see whether there are any marks of ill-treatment and shall record the result of this examination, certifying in his diary of investigation whether to the best of his knowledge and belief the prisoner has suffered ill-treatment or not, and whether he has marks of ill-treatment on his person. Should the prisoner refuse to allow his body to be examined, the refusal and the reasons given for it shall be recorded. If an allegation of ill-treatment is made or if marks of ill-treatment are found on the prisoner's person, the investigating officer shall so far suspend the investigation on which the prisoner has been arrested, as to forward the prisoner

with his complaint, the record of corporal examination, any other evidence available, and, if possible, the police officers implicated by the prisoner's complaint, to the nearest magistrate having jurisdiction to inquire into the case. Whenever such action is taken the Superintendent of Police must be informed immediately.

The same procedure shall be followed by the officer in charge of a station in the case of persons arrested otherwise than in the course of police investigation. In such cases question and answer shall be recorded in the general diary of the police station.

NOTE.—The examination required by this paragraph shall be made when the prisoner is a woman, by another woman, with strict regard to decency.

141. The search of an arrested person under section 51 of the Code of Criminal Procedure should be made in the presence of two witnesses unconnected with the police, whenever such witnesses are available. All property of which the police take possession should be marked and entered in a list.

142. A person arrested should not be subjected to any unnecessary hardship or indignity; handcuffs should be used only if there is reasonable ground for considering that they are necessary to prevent escape, violence, or suicide. Visits of friends and legal advisers should be permitted, subject to any precautions which may be necessary to prevent the prisoner from escaping or otherwise defeating the ends of justice.

When handcuffs are used a pair should be selected which will fit the prisoner's wrists; the key should be carried in the breast pocket of the police officer in charge of the prisoner.

143. Whenever an accused person is arrested the investigating officer or officer in charge of the station must consider, with reference to section 169 and Chapter XXXIX of the Code of Criminal Procedure, whether bail should be allowed. Bail cannot be refused unless there are reasonable grounds for believing that the accused has been guilty of a non-bailable offence, and even in such circumstances the grant of bail by the officer in charge of a police station is not prohibited unless the offence is one punishable with death or transportation for life. An investigating officer not in charge of a station may not take bail, except under section 169 of the Code of Criminal Procedure, when there is not sufficient evidence or reasonable ground of suspicion to justify the forwarding of an accused person to a magistrate. In cases covered by sections 496 and 497, Code of Criminal Procedure, he should send accused persons to the officer in charge of the police station with his recommendations. In cases where there are reasonable grounds for believing that a person has been guilty of a non-bailable offence, an officer in charge of a police station should before releasing him on bail according to the special provisions of section 497, Criminal Procedure Code, consider the past history of the accused, if this is known, and also the possibility of the accused absconding, should he be released.

144. Officers in charge of police stations are responsible that proper care is taken of under-trial prisoners confined in station lock-ups or in transit to courts; blankets, lotas, and conservancy utensils are supplied to all station lock-ups by the Superintendent of Police from the grant provided for that purpose.

Lock-ups should be supplied out of the police contract grant with *tat* purdahs or other contrivances for the protection of the prisoners from the inclemency of the weather.

145. Detailed instructions regarding the scale of daily diet for healthy prisoners will be found in paragraph 3 (a), Chapter VI, Rules for guards and escorts.

146. Detailed instructions regarding the diet for sickly prisoners in transit will be found in paragraph 3(b), Chapter VI, Rules for guards and escorts.

147. Detailed instructions regarding prisoners undertrial in the court of a magistrate in camp will be found in section V, Chapter VI, Rules for guards and escorts.

148. According to rules contained in the Manual of Government Orders, under-trial prisoners should not be kept at courts so late as to necessitate their admission to jails and lock-ups after lock-up time. Every effort will be made by magistrates to ensure that the above directions are observed by subordinate courts. Under-trial prisoners, however, who cannot arrive before lock-up time should not be sent to jail except under the special orders of the magistrate concerned. It is unnecessary and impracticable to specify the circumstances in which such an order should be passed. The question for consideration in each case will be whether there are circumstances which render it undesirable in the interests of justice or security that a prisoner should remain in police custody. As to the existence or otherwise of such circumstances, the magistrate concerned must exercise his own discretion subject to the general control and supervision of the District Magistrate. The Inspector-General of Prisons has issued instructions to all Jail Superintendents to arrange for the admission of under-trial prisoners to jail after lock-up time, provided that the necessary warrant is produced at the jail gate. District Magistrates have been directed by Government to designate a magistrate whose duty it will be to sign the remand forms of prisoners who arrive for the first time at headquarters after lock-up time. Superintendents of Police should see that their prosecuting inspectors understand these orders and assist in their execution.

149. Officers in charge of police stations will be held personally responsible that lunatics, or persons suspected to be such, are never in any circumstances confined in cells with other persons.

As a rule, minor girls, especially those termed as "strayed," should not be kept in the custody of the police. In all cases where a hospital or dispensary with female accommodation exists, such girls should be made over to the hospital authorities as dicted patients.

The period for which it will be necessary for the dispensary to keep such girls will not exceed fifteen days save with the consent of the district board concerned.

150. When a person arrested has to be kept in custody but is in such a state of health that he cannot be moved without serious risk to himself or to others, the officer making the arrest must make suitable arrangements to keep him in custody where he is.

151. Rules for the guidance of the police in dealing with juvenile offenders will be found in paragraph 15, section I, Chapter VI, Rules for guards and escorts.

Juvenile convicts released from the Bareilly juvenile jail will not be escorted to their homes by the police. The police shall ordinarily have nothing to do with them after release except when history-sheets have been prepared for them in accordance with the orders in paragraph 226A of these Regulations. Juvenile convicts released from other jails shall be escorted to their homes by the police in accordance with paragraph 288 of the Jail Manual.

CHAPTER XIII.

CUSTODY AND DISPOSAL OF PROPERTY.

152. The following rules govern the disposal of movable property of which the police take possession :—

- (i) An abstract list of the property will be made in the general diary. A separate extract of every entry relating to such property will be prepared at the police station and forwarded to the magistrate concerned.
- (ii) Bulky property, other than live-stock taken possession of under section 25 of the Police Act V of 1861, or attached, distrained or seized under section 88, 357 or 523 of the Code of Criminal Procedure shall ordinarily, pending the orders of the magistrate, be left at the place where it was found in the charge of some landholder or other respectable person willing to undertake responsibility for its custody and to produce it when required by the court.
- (iii) (a) Pending the orders of the court, live-stock shall ordinarily be made over to the pound-keeper; and while the animals are in his charge any person who claims to be the owner, or other person on his behalf, may, if he so desire, be permitted to arrange for feeding and watering them.
- (b) Instead of making the animals over to the pound-keeper, the officer in charge of the station may, if he thinks fit, appoint one or more herds-men to look after them; on an application being made to him by any person, he may, if this can be done with safety, make them over to such person on his executing a bond with or without sureties to produce them when required.
- (c) The cost of the custody, feed, and transport of live-stock will in almost all cases be realized from the sale price of such as are sold, or from the person to whom the stock are delivered by order of the court, and should be so realized subject to any order passed by the court.
- (d) If the live-stock are sold, the officer in charge of the station where they were seized, and the police muharrir attached to the court which orders the sale will be responsible for bringing to the notice of the officer conducting the sale the amount of the expenditure incurred on them in order that the account may be adjusted. Should the expenditure exceed the sale-proceeds, the difference must be paid from the Superintendent's contract grant.
- (e) If the live-stock are ordered by a court to be delivered to any person, the police muharrir attached to the court should apply to the court for orders as to the payment of expenses. If the court orders expenses to be paid by the person to whom the animals are to be delivered, they must not be delivered to him until he has paid. If he fails to pay, the court must be asked for orders.
- (f) If the court orders the cost to be paid by Government, payment will be made from the Superintendent's contract grant.
- (iv) Movable property of persons dying intestate, falling under the following heads, should not be forwarded to headquarters, but

should be sold by auction by station officers on the spot, after sanction has been obtained in each particular case, from the Judge's Court through the District Magistrate in the province of Agra, and from the District Magistrate in the province of Oudh :—

- (a) Property subject to speedy and natural decay.
- (b) Articles worth less than 8 annas each.
- (c) Property the cost of keeping and conveying which to the district courts will exceed its value.
- (d) Property not included under the foregoing heads when its total value is not more than Rs. 5.
- (v) Property forwarded to headquarters should be sent direct to the prosecuting inspector, numbered and labelled (if not live-stock), and accompanied by a full and accurate description in duplicate. The label should show the person from whom it was taken, or the place where it was found, and the date. If the property corresponds with the description, the prosecuting inspector will, before sending the papers to the magistrate, enter—
 - (1) unclaimed property, or property seized under section 523 of the Code of Criminal Procedure, in his malkhana register of unclaimed or case property,
 - (2) weapons and other articles sent under section 170 of the Code, and movable property seized as liable to confiscation or forfeiture, in his malkhana register of impounded property,
 - (3) all movable property belonging to an accused person, or to a convict, or attached under section 88 of the Code, or distrained in default of payment of fines, penalties or fees, in his malkhana register of miscellaneous property, and
 - (4) intestate property in his register of intestate property (lawaris). He will then endorse, on the duplicate copy of the description received from the police station, a receipt for the property and the number of the entry in the malkhana register, and will return this copy to the officer who brought the property from the police station.
- vi) When the property consists of gold, silver, jewellery or other valuables, it must be sent in a sealed packet after being weighed, and its weight must be noted in the general diary and on the list which accompanies the packet. A set of weights and scales should be kept at each police station.

153. Unless the magistrate otherwise directs, property of every description will remain in the custody of the prosecuting inspector until orders are passed regarding its final disposal. At the beginning and end of each day the prosecuting inspector or a prosecuting sub-inspector to whom (without prejudice to the general responsibility of the prosecuting inspector) this duty has been specially assigned, must personally unlock the malkhana door, and deliver over to, and receive back from, the police attached to courts the property required for the day. He must then re-lock the door which shall be opened only in his presence. He is responsible that the property replaced is identical with that issued.

154. Cash and articles of value will be kept by the prosecuting inspector in his safe in the treasury.

155. It is the duty of the prosecuting inspector to bring to the notice of the magistrate concerned all cases in which unclaimed property has been lying in the malkhana for more than six months, all cases in which perishable property is deteriorating owing to orders being delayed, and all cases in which apparently avoidable delay is taking place.

156. An officer above the rank of inspector must inspect the malkhana quarterly, and check and sign the registers maintained for it.

157. The police officer attached to the court of a magistrate, who is in camp or located elsewhere than at the headquarters of the district, will observe the rules laid down for the guidance of the prosecuting inspector, in so far as such rules can be made applicable. He shall maintain the register of arms and ammunition and military stores prescribed in paragraph 36. This register shall be checked periodically by circle inspectors and gazetted officers when on tour, and may be sent or brought to headquarters to be checked by the prosecuting inspector there.

For further orders regarding custody and disposal of property see the Manual of Government Orders.

158. In the province of Agra the personal property of persons dying intestate must not be treated as unclaimed property under section 25 of Act V of 1851, but must be dealt with under the rules contained in the Manual of Government Orders. The procedure is the same in both cases up to the stage at which the prosecuting inspector receives and registers the property and makes a report to the District Magistrate. After this, in the province of Agra, the prosecuting inspector must forward a copy of his own report and of the District Magistrate's order through the District Magistrate to the District Judge for orders. All expenses incurred in maintaining intestate property and in conveying it to the District Judge's court are recoverable from that court.

159. When any arms, ammunition or military stores have been deposited at a police station under section 16 of the Arms Act (XI of 1878) the officer in charge of the police station shall affix to each weapon or article a ticket showing the name of the depositor, the date of deposit, and a description of the weapon or article deposited. He shall also hand to the depositor a duplicate of this ticket signed by himself, as a . i.e., and inform him that Government will be responsible only for the safe custody of the articles, and not for their preservation from rust and decay.

At the end of fourteen days, if the owner has not obtained a licence authorizing him to possess them, the arms, ammunition, and military stores shall be forwarded to the headquarters of the district, and shall there be kept in the District Magistrate's malkhana or in that of the Superintendent at the discretion of the District Magistrate. If they are deposited in the District Magistrate's malkhana, the nazir will be responsible for their custody; if in the Superintendent's malkhana, the prosecuting inspector will be responsible.

Further instructions will be found on page 16 of the United Provinces Arms Rules and Orders (1924).

CHAPTER XIV.

SPECIAL CRIMES.

160. As soon as possible after the occurrence of a dacoity or gang robbery, the officer in charge of the station shall send information by the speediest method to neighbouring police stations, and despatch police to watch ferries, canal and railway bridges, railway stations, sarais and other likely places in the direction in which the offenders are supposed to have gone. Suspected persons should be stopped by the men so sent, and should be brought to the police station; they may be arrested, if necessary. The same steps should be taken by officers in charge of other stations to which information is sent.

The Superintendent of a district in which a dacoity or gang robbery occurs should send immediate information to neighbouring districts.

Descriptive rolls of the offenders, if procurable, should be sent to neighbouring stations by the investigating officer, and to other stations and headquarters of districts by the Superintendent.

Superintendents on receiving information of a dacoity which has occurred in another district should order the police of their own districts to be on the alert, and should send instructions to any station where special precautions are necessary.

It is important to spread the news as widely as possible when dacoities are being committed by a wandering gang.

For the action which may be taken in Indian States see Chapter XXIII.

161. When a case of professional poisoning occurs, action should be taken on the lines indicated in the preceding paragraph, but on a smaller scale. The Superintendent and the officer in charge of the station should exercise their discretion as to the places to which information should be sent, and the places which should be watched.

Great care should be taken in recording the descriptive roll of the offender; full particulars of his appearance can generally be ascertained, as a poisoner spends some time with his victim.

To secure corroborative evidence in anticipation of the poisoner's arrest, it will sometimes be useful to take the complainant to places where he says he has been seen in the poisoner's company, and to confront him with any persons, such as sarai-keepers, grain-sellers and others who may have seen them travelling together. The complainant should not be compelled to remain with the police in the expectation of the poisoner's return.

162. When the disappearance of any boy under 14 years of age or girl under 16 years of age is reported, and the circumstances point to an offence of kidnapping, the officer in charge of the station shall inform neighbouring stations and forward to the Superintendent a descriptive roll of the minor, together with any information which may have been collected as to the direction in which the child has probably gone, and a descriptive roll of any person suspected of having taken away the child. The Superintendent will take such action as he considers best for the recovery of the minor.

Village policemen should be instructed to report the disappearance of any minor or the arrival of any unknown minor.

163. In order to detect cattle poisoning, the mortality among cattle should be watched and inquiries made whenever a number of sudden deaths occur, especially if the price of hides is high. Village policemen should report any unusually

high death-rate. When there is a high mortality of cattle not due to disease, it is important to trace the movements of contractors who have been purchasing the skins. It is sometimes noticed that a contractor visits a village, that cattle die after his departure, and that he returns shortly to purchase the skins.

Zamindars should be urged to destroy the skins of all cattle dying in suspicious circumstances.

When chemical analysis is desired, portions of the deceased animal's kidney, liver and stomach, and of the contents of the stomach should be sent, steeped in salt and water, to headquarters for the orders of a magistrate.

In cases of suspected cattle poisoning a short account of the facts should be given in the following form for the guidance of the Chemical Examiner when substances are sent for analysis:—

- (1) Species of animal and name of owner.
- (2) Nature of food last taken.
- (3) How soon after this food did symptoms of illness appear?
- (4) Did the animal appear to be in pain?
- (5) Did purging occur?
- (6) Was there discharge from mouth or nostrils?
- (7) Were convulsions observed?
- (8) Did the animal appear to be unconscious? If so, how soon after the onset of the symptoms?
- (9) Is it suspected that the poison was administered by the mouth, rectum or hypodermically ("sui" poisoning)?
- (10) Was any foreign matter present in the rectum?
- (11) Did death occur?

Information on the above points should be furnished to the District Magistrate before the latter officer sends the substance for chemical analysis.

164. The poison used to destroy cattle is often arsenic, and sometimes aconite. A common method of administering arsenic to an animal is to mix common white arsenic in rough powder with flour dough, and then to wrap up the poisoned dough in fresh grass or stems of the gram plant.

Sometimes a rag impregnated with snake poison is inserted in the anus of an animal. When a case of this kind is detected the rag should be sent for chemical examination. In such a case the poison may be expected to be a greasy substance of a dirty white colour, like putty.

A common form of poisoning is by pricking the animal, generally in the back, with a spike composed of *dhatura*, opium, *gunchi* seeds and onion, the ingredients being worked into a paste with spirits, made into spikes and then dried and hardened in the sun. In a few hours after the animal has been pricked with one of these spikes a swelling appears and slowly extends over a portion of the body. But until the animal drops and cannot move, which it does three or four days after the swelling has appeared, there are no symptoms except the swelling, abstinence from food and disinclination to sit down. The swelling should be carefully examined to discover the puncture, which is so small that it is not easily seen. Cases are on record which show that poison has been administered in this fashion to human beings.

Theft of Bovine Cattle.

165. Reported strays of cattle from within inhabited sites or cattle sheds in the districts of Saharanpur, Meerut, Muzaffarnagar, Bulandshahr, Aligarh, Agra, Farrukhabad, Moradabad, Budaun and Shahjahanpur shall be at once recorded as thefts and investigated; other reported stray should not be so recorded or investigated, unless the owner, when reporting the stray, has expressed doubts and

asked for an investigation, or unless from the special circumstances of the case the officer in charge of a police station has reasons (which must be recorded) for believing that theft has occurred.

166. Investigations shall be made in every case of cattle theft, whatever be the value of the cattle stolen, although the owner may not wish for an investigation.

167. The following directions apply to all districts:—

- (1) Officers in charge of stations shall send early reports of the occurrence of cattle thefts, with descriptive rolls of the stolen cattle, to all neighbouring stations of their own and other districts. They shall also send notices of all reported strays to the pound-keepers, if any, within the limits of their stations, and shall post notices of strays on the notice boards of their stations.
- (2) Cattle in pounds should be carefully compared with the descriptive rolls of stolen cattle. Careful inquiry should be made into the cases of cattle impounded by persons other than agriculturists of the neighbourhood, or reclaimed by persons living at a distance from the pound.
- (3) Constables should be furnished with lists of strays which have been reported from their beats during the year and should ascertain from chaukidars and villagers whether strays have been recovered, and, if so, in what circumstances. Village chaukidars should also be questioned on these points when they visit the police station.
- (4) When village chaukidars visit the station the officer in charge shall cause to be read out and explained to them any reports of cattle theft or strays which have been made at the station.
- (5) Every officer in charge of a station should keep himself well informed of the names and addresses of *thangdars* of cattle and should endeavour to discover whether stolen cattle are habitually taken in any particular direction and whether there are in his circle any villages most of the inhabitants of which are in sympathy with cattle thieves, or any tracts such as *dhak* jungles and river *khadir* where stolen cattle can be temporarily detained. At each police station in the districts of Saharanpur, Muzaffarnagar, Meerut, Bulandshahr, Aligarh, Moradabad, Agra, Farrukhabad, Budaun and Shahjahanpur the station officer will keep with his village crime note-books a list showing the names of *thangdars*, and of the villages in which they live. No other particulars need be given on these lists as the village crime note-book will contain detailed information. If any village is so full of *thangdars*, that is not worth while to specify particular persons (as in some Gujar villages), it will be sufficient to put the name of the village only on the list. The list will serve as an index to the village crime note-book and will show a new station officer or an inspecting officer at a glance to what extent cattle theft is prevalent.

Superintendents of Police of other districts may extend this order to all or any of their police stations at their discretion.

- (6) Rewards should be freely given not only for the actual arrest of cattle thieves and for the recovery of cattle, but also for good information regarding the residence, customs and routes of cattle thieves and their associates. In this matter village chaukidars should be intelligently encouraged to assist.
- (7) All offences relating to cattle, which fall under section 411, 412 or 414 of the Indian Penal Code should be registered in and sent up for

trial from the district and station within the limits of which the theft was committed. The offence will be registered there as a theft.

NOTE.—Superintendents of Police of the United Provinces should not insist on the police of other provinces or of Indian States following this rule.

(8) Station officers and circle inspectors of the United Provinces whose circles border on police circles of the Punjab should arrange to meet the station house officers and circle inspectors of the Punjab circles concerned once a month to discuss police border problems, with special reference to cattle theft and criminal tribes. At each meeting they should make a brief record of the subjects discussed and the action proposed, and forward it to their Superintendents of Police for orders.

(9) Superintendents of Police of districts bordering on districts of the Punjab should arrange to meet the Superintendents of Police of those districts at least once a year, and, if possible, more frequently. A record of the results of these meetings should be prepared by Superintendents of Police and forwarded to the Range Deputy Inspector-General for information.

(10) Superintendents of Police of the following districts in the United Provinces should keep Superintendents of Police of the following districts in the Punjab informed regarding the tribes in their districts registered under the Criminal Tribes Act. They should at the same time ask the Superintendents of Police of the Punjab districts concerned to supply them with similar information:—

<i>Punjab.</i>	<i>United Provinces.</i>
Gurgaon.	Dehra Dun.
Karnal.	Meerut.
Rohtak.	Saharanpur.
Ambala.	Moradabad.
	Bulandshahr.
	Bijnor.
	Muzaffarnagar.

168. Circle inspectors must satisfy themselves by comparing notes with one another and by inspecting police stations that the history sheet of every cattle thief of every station in their circles shows the connexion between that cattle thief and cattle thieves of other stations, wherever such connexion can be traced. It is one of the main duties of the circle inspector to effect co-operation between stations for the suppression of cattle theft.

All cattle strays must be reported at the police station by the village police.

169. *The following rules govern the voluntary registration of sales of cattle at cattle markets outside municipal and cantonment limits, at police stations and in outlying tracts distant from a police station. They apply also to the registration of sales of cattle within cantonment and municipal limits, if no other rules have been made for this purpose by the cantonment or municipal authorities:—*

I.—In these rules—

- (1) "cattle" means horned cattle only;
- (2) "cattle market" includes a fair, bazar or other place where cattle are habitually bought and sold;
- (3) "owner" includes a zamindar, lessee or other person having in any way control over the management of a market; and
- (4) "registering clerk" means a person appointed to register sales of cattle at the request of the purchasers of such cattle.

II.—(1) In every public cattle market, i.e. in every market not owned by a private person, the District Magistrate shall appoint one or more registering clerks for sales which take place in such market.

(2) In the case of every private cattle market, i.e. in every market owned by a private person, the District Magistrate shall arrange with the owner or owners for the appointment of one or more registering clerks for sales which take place in such market.

(3) At every police station the station writer shall be the registering clerk for sales in respect of which requests for registration are made at the police station :

Provided that the station writer shall not register sales taking place on market days at cattle markets where other provision of a satisfactory nature for registration has been made (in the case of municipalities under municipal rules).

(4) In outlying tracts, distant from a police station, the District Magistrate may appoint one or more registering clerks for the registration of sales taking place elsewhere than at cattle markets where provision for registration has been made.

(5) If the owner of a private cattle market fails to make satisfactory arrangements under clause (2), the District Magistrate may appoint a registering clerk for any village within the limits of which such a cattle market is held.

(6) All registering clerks must know how to take thumb-impressions. Sufficient instruction in this may be obtained in one day either at the police station from a sub-inspector or at the headquarters of the district from a qualified impression taker. Ink, pad and rollers for taking impressions will be provided by all cattle markets.

(7) The names of all registering clerks appointed in cattle markets should be reported to the police, and their characters verified.

III.—(1) In the case of markets registration shall take place only on the day of sale.

(2) No sales shall be registered before sunrise or after sunset.

IV.—No sales shall be registered, except in the presence of the seller and purchaser, and on the production at the place of registration of the cattle sold :

Provided that if the seller or purchaser is unable to attend, his relative or agent may have the sale registered on his behalf.

V.—Subject to the provisions of rule II, clause (3), and rules III and IV, a registering clerk shall, on payment of the prescribed fee and at the request of the purchasers of the cattle, register all sales of cattle taking place in the market or local area for which he has been appointed registering clerk.

VI.—If any of the persons causing a sale to be registered are not personally known to the registering clerk and are not accompanied by persons who are so known, a description of the persons effecting registration and a full description of the animals sold shall be recorded in the register.

VII.—No sale shall be registered until the purchaser has paid the prescribed fee to the registering clerk. The fee shall ordinarily be one anna for each animal (not counting sucking calves); but the District Magistrate (or, in the case of municipalities, the District Magistrate or the municipal board) may sanction a different rate of fees in accordance with local custom.

VIII.—The fees received by the registering clerks shall be retained by them, except when otherwise directed by the District Magistrate.

IX.—The registering clerk shall record with his own hand in a register to be kept for the purpose, the details specified in police form no. 54.

X.—The entries shall be signed and dated by the registering clerk, and shall bear the thumb-impressions (in addition to signatures, if any) of the registering parties and witness or witnesses who identify the seller.

XI.—A copy of the entry, in the counterfoil form, shall be supplied, under the signature of the registering clerk, free of charge to the purchaser of the cattle.

XII.—In addition to the record made under rule IX in the case of sales registered at police stations the station writer shall record briefly in the station diary the names of the registering parties, their caste, parentage and residence, together with the price said to have been paid for the cattle.

XIII.—Registering clerks appointed by the District Magistrate under rule II, clauses (1), (4) and (5), may be dismissed by him for sufficient cause; the order of the District Magistrate dismissing a registering clerk shall be final.

XIV.—Books containing 100 printed forms will be supplied by the District Magistrate (or in the case of municipalities by the District Magistrate or the municipal board) on payment of the cost, and shall be used by the registering clerk. Within three months after the issue of a new book the old register shall be sent in for record in the magistrate's office (or in the case of a municipality in the office of the municipal board). Old books so deposited may be destroyed after the lapse of one year from date of deposit.

XV.—At every police station and cattle market, where provision for registration has been made, a notice shall be permanently displayed in a prominent place setting forth the fee payable for registration and the fact that a copy of the entry will be supplied to the purchaser free of further charge.

Every facility should be afforded to persons desiring to register sales at police stations. The procedure of the registering clerk should be carefully watched by his superior officers, any tendency to delay controlled, and any instances of over-charge severely punished.

Station writers will be allowed to retain the fees paid for registration. A fixed fee of one anna for each animal has been prescribed for general adoption.

169A. One constable—if possible literate—should be sent from every neighbouring police station to attend important cattle fairs and markets with the object of scrutinizing sales of cattle, making inquiries in the case of any sale of an animal which he may suspect to have been stolen, and generally gathering information as to the character and honesty of cattle dealers, butchers and other buyers and sellers. He should bring with him from his police station a list of all animals that have been stolen within the past six months. This list should include as full a description as possible of such animals, and the constable should carefully compare these lists with the animals that are being sold with a view to detecting the sale of a stolen animal.

169B. It shall be the duty of the Station Officer to check periodically the registers maintained by the registering clerks employed by the owners of private cattle markets within his jurisdiction either personally or through any officer subordinate to him not below the rank of head constable. Such registers may also be checked by any officer not below the rank of head constable specially authorized for this purpose by the Superintendent of Police. It shall be the duty of every registering clerk appointed under rule II(1), (2), (4) and (5) of paragraph 169 of these Regulations to allow free inspection of his registers by any police officer authorized under this paragraph, or who may require to consult such registers in connexion with the prevention of crime.

CHAPTER XV.

CRIMINAL TRIBES, FOREIGNERS, AND VAGRANTS.

170. For the rules regarding the registration and surveillance of resident and wandering criminal tribes see the Criminal Tribes Manual.

171. Instructions for dealing with suspicious foreigners and gangs of foreign Asiatic vagrants are contained in the Manual of Government Orders. Such gangs should not be passed on under police or other guards to other districts of other provinces or to Indian States. If it is desirable to deport them, the order of the District Magistrate should be obtained.

172. For the orders relating to European vagrants see the Manual of Government Orders. See also Criminal Investigation Department Manual, Part I, Chapter VI.

173. Whenever a foreigner is directed by a written order under section 3 of the Foreigner's Act III of 1864 to remove himself from British India, a police officer shall be deputed to travel in the same train as the foreigner to see that the terms of the order are strictly obeyed. The police officer shall be provided with a copy of the order and in case of its infringement shall under, section 4 of the Act at once arrest such foreigner and take him in custody before the nearest local authority, unless the foreigner on being arrested satisfies the police officer that he is prepared to comply with the order and proceed at once to his destination. For the powers of district authorities to arrest and detain foreigners in anticipation of orders of removal under section 3, see section 3(a) of the Act.

CHAPTER XVI.

PATROLS AND PICKETS.

174. The following rules govern the patrolling of roads:—

- (i) Civil police shall ordinarily be employed; armed and mounted police may be used in special circumstances; village chaukidars may not be used.
- (ii) Where constables can be spared for the regular patrol of roads the officer in charge of each station will choose a word daily as a parole and will record it at the beginning of his general diary for the day. He will write the word over his signature on a slip of paper which he will give to the patrol; the officer in charge of the station at which this paper is delivered will attach it to the copy of his general diary which he sends to headquarters. Advantage may be taken of any public duty, except escort of prisoners or treasure, for the conveyance of the parole. The time at which patrols are sent out should vary and they should be sent out at the hour or on the occasion when they can be most useful; for instance, carts containing property of value may be accompanied. Patrols should see that order is maintained along the road, and watch over the security of travellers. No regard should be paid to district and police station boundaries. The patrol of the road between two police stations devolves upon the police of those stations, whether situated in the same or different districts.
- (iii) Constables employed on night duty as road patrols may be armed with spears or muskets, if available.

175. Patrols should prevent and report cases of injury to roadside trees and all encroachments on the road. If there is a telegraph line along the road the patrol should look out for and report any damage to poles and wires; information of such damage should be sent immediately by the officer in charge of the police station to the nearest telegraph office.

176. In order to ensure that police shall receive sufficiently prompt information of thefts of copper telegraph wire, it has been arranged with the Telegraph department that the lineman who is sent to repair a break after wire has been stolen shall, if possible, take a police officer with him. Any officer of the district or railway police who is requested to accompany a lineman on such an occasion should comply with the request, and if the theft has not occurred in his jurisdiction, should take such steps as may be necessary for the detection of the thief and should communicate with the officer in charge of the station concerned.

All officers of the district and railway police are expected to co-operate with each other and with the Telegraph department in the suppression and detection of this form of crime. Officers in charge of police stations should not wait to hear from the lineman, if they receive information of a theft otherwise than through him, but should go to the spot immediately. Special measures should be taken to watch a telegraph line for some days after the theft of wire with a view to catching the culprits in the act. Information should be sent to the neighbouring police stations through which the telegraph line runs.

177. Officers in charge of stations or outposts on the routes taken by camel carriages or similar conveyances, which are accompanied by a police constable, should observe the manner in which the constable performs his duties and report any neglect on his part to the Superintendent.

178. In towns, patrol should be carried out on the "six-beat system," the essential features of which are that every man should have two nights' rest in every six, that there should always be one man on duty in the beat by day and two men at night (from 10 p.m. to 6 a.m.) and that no man should have more than four hours' night work at a time.

The following table gives an example of the distribution of beat duty according to this system, which may be varied to suit local requirements:—

Scheme of beat duty in towns.

Hot Weather.

		Day.							Night.	
		Hours.							Hours.	
		6-8	8-10	10-1	1-4	4-6	6-8	8-10	10-2	2-6
1st	..	A	B	C	D	A	B	CD	EF	AB
2nd	..	C	D	E	F	C	D	EF	AB	CD
3rd	..	E	F	A	B	E	F	AB	CD	EF
4th	..	etc.	..	..	..	..	..	..	..	..

Cold Weather.

		Day.						Night.	
		Hours.						Hours.	
		6-8	8-11	11-2	2-5	5-8	8-10	10-2	2-6
1st	..	AB	C	D	E	F	CD	EF	AB
2nd	..	CD	E	F	A	B	EF	AB	CD
3rd	..	EF	A	B	C	D	AB	CD	EF
4th	..	etc.	..	..	..	..	..	..	..

NOTE.—(1) The men on patrol duty at night should be constantly on the move and should pay special attention to places where burglars are likely to operate. Half the men off duty during the day must be present at the station or outpost. All the men off duty must be present at night.

(2) Where the force is large enough beats should be arranged in circles, each circle being in charge of a sub-inspector or head constable or naik. If chaukidars are used for watch and ward, this duty may be performed by a constable. This officer should go his rounds with a special night patrol to see that the men on beat duty are doing their work properly, and to look out for thieves. This special patrol may with advantage wear plain clothes occasionally. Men on beat duty and on special night patrol in towns should be provided with spears or bludgeons.

(3) Constables on patrol duty should be made responsible for the surveillance of registered bad characters at night.

179. To supplement or, as an alternative to night patrol, pickets may be thrown out both in town and rural areas—

- (1) to watch the houses or approaches to the houses of registered bad characters compare paragraph 220(a);
- (2) to intercept criminals on their way to or from the scenes of crimes.

Two men will ordinarily form a picket, but in special circumstances, *e.g.*, if dangerous criminals are likely to be met, this number must be increased. Pickets should take up their positions without attracting attention. They must not move about or make a noise and must be well concealed. Each member of a picket should watch in turn while his companions sleep. Should a bad character, whose house is picketed, leave it during the night, the picket should not ordinarily follow him but should watch for his return. The picketing system should be used as a means of controlling bad characters who are suspected to be temporarily active, and in areas where dacoity or burglary is rife.

CHAPTER XVII.

GUARDS AND ESCORTS.

180. For general instructions concerning guards and escorts, reference must be made to "Rules for Guards and Escorts, 1928."

181. Every night a patrolling party from the reserve lines shall visit all the police guards at headquarters, deputed from the lines: provided that the Superintendent, with the sanction of the Deputy Inspector General, may direct that any guard which is far from the lines be visited frequently or occasionally instead of nightly. This patrolling party shall visit all public buildings on or near their route to see that they are secure.

182. Requests received from officers of other departments of Government for the supply of guards should be complied with by Superintendents of Police only if the guards can be supplied without unduly weakening the reserve. The strength of the guard should be determined by the Superintendent of Police with reference to departmental rules if they apply to the case, or at his own discretion if there are no rules to guide him.

It is necessary in each case for the Superintendent of Police to determine or when in doubt to ascertain from the Inspector-General whether the guard shall be charged for or not. The Superintendent of Police must be guided by the following instructions:—

(a) No charge should be made for guards supplied to other departments of the Local Government with the exception of commercial departments such as the Irrigation Department.

(b) The Government of India have accepted liability for—

(i) Charges on account of travelling and other incidental expenses of the police escorts provided for treasure remittances in the United Provinces; and

(ii) charges on account of the pay, supervision charges, and pensionary contribution of the police guards supplied to the Currency Office at Cawnpore, and to the Opium and Survey Departments.

It may be assumed in the absence of specific instructions to the contrary, that guards supplied to other departments of the Central Government, e.g. the Postal Department, will be charged for as indicated in clause b(ii) above.

183. Police may be supplied for private entertainments, but must be paid for at the rates given in paragraph 187, Office Manual.

184. District and municipal boards and notified areas are not as a rule liable to pay for special police protection afforded on the occasion of fairs or melas which are in the nature of an established public function. Police deputed for duty at district exhibitions are supplied under section 13 of the Police Act and recoveries from the exhibition authorities are made under the same section. The detailed rules regarding these charges will be found in paragraph 194, Office Manual.

185. Private associations or individuals should be charged for the police supplied at fairs or melas organized by them at the rates laid down in paragraph 187, Office Manual.

186. The rules regarding the supply of police protection to railways and recoveries therefor are detailed in paragraph 186, Office Manual.

The rules regarding supply of police escorts on the requisition of an Agent of the Imperial Bank of India, except where the treasury officer certifies that the remittance is on Government account will also be found in paragraph 186, Office Manual. These escorts are supplied under section 13 of Act V of 1861.

187. Except as provided in paragraphs 68 and 69 of these Regulations, no orderly may be employed or furnished by the Superintendent of Police without the special sanction of the Deputy Inspector-General.

A separate staff of orderly peons is maintained for the use of gazetted police officers and of reserve inspectors and for service in the offices of Superintendents of Police. The sanctioned scale must not be exceeded.

188. A guard of one head constable or naik and three constables is sanctioned for a Member of the Board of Revenue, a Commissioner of a division, the Inspector-General of Police, and a Deputy Inspector-General of Police when on tour. It will be supplied by the Superintendent of each district through which the officer on tour marches who will, if necessary, apply to the Deputy Inspector-General for reliefs from his range reserve in which allowance for such claims has been made. Similar guards may be supplied to the Director of Public Instruction and the Inspector-General of Registration when they are marching through districts with a reputation for dacoity.

189. Every Joint Magistrate and assistant magistrate and every deputy magistrate in charge of a sub-division shall have a civil police constable deputed from the reserve lines to his camp during his tour to preserve order. District magistrates, Superintendents of Police and Joint Magistrates in charge of the sub-divisions of Karwi (Banda), Lalitpur (Jhansi) and Deoria (Gorakhpur) are allowed an armed police guard of one naik and three constables each for their houses; they may take these guards, or any part of them, with them when they go on tour to guard their camps and to preserve order.

190. If there is time for a reference, the Superintendent should consult the District Magistrate before supplying additional police under section 13 of the Police Act, V of 1861, except a small guard required for a very short period.

The guard supplied should always be large enough to enable its duties to be performed efficiently without undue hardship to the men. A guard for day and night work should never consist of less than four men. Without the sanction of the Deputy Inspector-General of the range, firearms should not be issued to guards supplied to private persons.

191. Whenever it is desired to extend the period for which additional police have been imposed under section 13 of Act V of 1861, a report should be submitted to the Inspector-General, through the District Magistrate and Commissioner, at least two months before that period ends. The police may not (in anticipation of an order of extension) be retained beyond the term originally fixed.

192. All forces sent on duty to other districts should be given command certificates, and should be instructed to report themselves in the police lines, if no other place has been specified in the requisition.

Good men should be selected when a force has to be despatched to another district on special duty.

Last-pay and charge certificates should be prepared and forwarded in form no. 232 in all cases of transfer.

193. Charges on account of railway fare and diet of under-trial prisoners or lunatics sent to other districts under police escort should be paid in advance from the permanent advance and afterwards recouped from the grant for "Transport of dead bodies, wounded and accused persons."

194. For the rules regarding the cost and charges of escorts over convicted prisoners whose presence is required by courts, see the Manual of Government Orders.

Any sum paid by a court under these rules for the cost of conveying a prisoner should be credited to Government under the head "Receipts under Prisoners Testimony Act."

195. Police guards escorting prisoners under deportation from Indian States should be assisted, as far as possible, by the local and Railway Police.

196. On the East Indian Railway a party of not more than two police officers of any rank with one prisoner are authorized to stop a goods train out of course and travel in the brake-van if—

- (a) there is danger that an attempt to release the prisoner will be made;
- (b) the prisoner is in need of medical attendance which cannot be obtained on the spot;
- (c) the prisoner cannot be confined in a lock-up before dark, if a passenger train is waited for.

Superintendents of Police must impress on all officers and men concerned that these concessions must not be abused.

197. Use should be made of the concessions obtainable when escorting treasure by rail. These concessions will be found in the coaching tariffs of railways and are in the nature of free travel for one or more men according to the weight of the consignment of treasure

198. The jail authorities are responsible for the guarding of prisoners and convicts sent to hospitals outside jails. On no account will a police guard be deputed for this purpose.

199. Rules for particular guards and escorts are contained in the pamphlet "Rules for Guards and Escorts."

CHAPTER XVIII.

ABSCONDED OFFENDERS.

200. Whenever an officer in charge of a police station, or an officer making an investigation under Chapter XIV of the Code of Criminal Procedure, is satisfied that a person whom he is empowered to arrest under section 54 of that Code has absconded or is concealing himself so that he cannot be arrested, he must apply to the court having jurisdiction, successively, for a warrant of arrest, a proclamation under section 87 of the Code of Criminal Procedure and an order of attachment under section 88. All these applications should be made as early as may be desirable in any particular case; they need not be delayed for the conclusion of an investigation; and a warrant of arrest, a proclamation and an order of attachment may all legally be issued one after the other in their proper order on the same day. The officer who asks a court to issue a proclamation must be prepared to produce legal evidence to prove that the person whose arrest is desired has absconded, and must not accept the mere statement or report of an officer who has no personal knowledge of the absconding to satisfy the court. When an order of attachment is issued he must satisfy himself that it is efficiently executed.

Any person for whose appearance a proclamation has been issued under section 87 of the Code of Criminal Procedure is an "absconded offender" within the meaning of this chapter.

201. Absconded offenders shall be divided into two classes: A and B; class A will include all absconders whose names, caste, residence, and antecedents have been verified beyond all possibility of doubt; class B will consist only of those persons whose real names, residence, and antecedents have not been ascertained.

N.B.—All escaped transmarine convicts should be registered automatically as absconded offenders of class A.

202. At every police station a register shall be maintained in form no. 214, in which shall be entered the names and full particulars of all absconded offenders in both cognizable and non-cognizable cases, persons coming under classes A and B, being separately shown. Every absconded offender of class A shall be shown in the register of every police station in which he has a wife, father, mother, son, daughter, brother or sister living, as well as in the registers of the police stations (1) in which he was living himself and (2) in which the offence for which he is wanted was committed. It is the duty of the Superintendent of the district in which the offence was committed to inform the Superintendents of other districts in which the offender ought to be registered on account of residence or relationship; and it shall be the duty of those Superintendents to register the names of the absconder in their districts on receiving such information. Absconders of class B need be registered only at the station where the offences in which they were concerned were committed.

Column 17 of this register should be kept up to date, and the station officer must inform the Superintendent whenever a relation or associate of an absconded offender changes his address. The Superintendent will pass on this information to all other districts or police stations concerned, if the offence for which the offender is wanted was committed in his district; otherwise he will inform the Superintendent in whose district the offence was committed, and the latter officer will then inform all concerned.

203. The prosecuting inspector shall maintain at headquarters in English a register for the whole district in the same form as the station register, separate parts being allotted to each class, A and B. His register shall contain the names of only those absconded offenders who are triable in the district, other than those wanted by the Government Railway Police for whom the Railway Police prosecuting inspector maintains a register.

In the column of remarks of the district annual return of absconded offenders, should be shown the number of absconders non-resident of the district concerned, who figure on the prosecuting inspector's register.

204. The Superintendent may order names of absconded offenders to be expunged for any of the following reasons :—

- (1) arrest ;
- (2) ascertained death ;
- (3) when, owing to the death or disappearance of all important witnesses, and in the absence of proceedings under section 512, Criminal Procedure Code, or for any other reason the evidence against an absconded offender is found to be insufficient for successful prosecution ;
- (4) the lapse of 30 years in the case of absconders of class A, and of 5 years in the case of absconders of class B, after the absconder was last heard of alive.

205. The District Magistrate may also order the name of any offender triable in his district to be expunged, although the conditions mentioned in the preceding paragraph have not been fulfilled, whenever he considers that owing to the insignificance of the offence it is unnecessary to continue the search for the absconder; provided that he shall not thus expunge the name of an offender whose offence is triable exclusively by the Court of Sessions.

The District Magistrate shall consider once a year either in connexion with the inspection of police stations, or by examining the list of absconded offenders whether any names should be expunged. When the name of an offender has been expunged by the District Magistrate or the Superintendent, he shall not be prosecuted for the same offence, otherwise than on complaint, without the sanction of the District Magistrate.

206. In all cases in which an accused person has absconded, except those of an exceedingly trivial or petty nature or when special circumstances exist, which make the procedure unnecessary or undesirable, the court should be asked to record the evidence against him under section 512 of the Code of Criminal Procedure. The police must, however, register the names of absconders without waiting for proceedings under sections 88 and 512 to be taken against them. All cases in which, for special reasons, evidence has not been recorded under section 512, must be put up before the Deputy Inspector-General at the time of his inspection.

In order to render the evidence recorded under section 512 admissible at a future trial, it must be proved and put on record that the offender has absconded and there is no immediate prospect of arresting him. The provisions of section 512 should be carefully studied.

CHAPTER XIX.

REGISTRATION AND SURVEILLANCE OF BAD CHARACTERS.

207. The village crime note-book is a confidential record kept at every police station and contains information about the crime and criminals of each village in the circle. The officer in charge of the police station is responsible for its safe custody and contents. In cities and towns which are too large for a single note-book there should be a separate note-book for each muhalla or other division.

Entries in parts I, II, and III, may be made by a subordinate under the supervision of the officer in charge of the police station. Entries in part IV will be made by the officer in charge. Entries in part V will be made in accordance with the instructions contained in paragraph 214 below.

208. In part I will be shown particulars of the population, outlying hamlets, revenue, market days, principal castes and tribes, headmen, chief landowners, other leading men and watchmen of the village. Under the heading "Other leading men" only residents of the village should be shown.

209. In part II will be entered particulars of all offences committed within the limits of the village area which are (1) cognizable and reported to the police, (2) fall under the following sections of the Indian Penal Code or other laws, whether originally reported to, or dealt with by the police or not :—

Sections 121, 121A, 124A, Indian Penal Code.—Offences against the State.

Sections 465 to 469, Indian Penal Code.—Forgery.

Sections 489A to 489D, Indian Penal Code.—Forgery of currency and bank notes.

Sections 109 and 110, Criminal Procedure Code.—Bad livelihood.

Sections 3 and 4 of the Public Gambling Act III of 1867.—Keeping, or gambling in, a common gaming-house.

Sections 60, 62, 63, and 65, Act IV of 1910.—Offences under the Excise Act.

Section 9, Act I of 1878.—Offences under the Opium Act.

Sections 19 and 20, Act XI of 1878.—Offences under the Arms Act.

Sections 21, 22, 24, and 25 of the Criminal Tribes Act, VI of 1924.—Offences under the Criminal Tribes Act.

All offences enumerated in the schedule of the Criminal Tribes Act, VI of 1924 of which the members of a tribe declared to be a criminal tribe under section 3 of the Act are convicted.

All crimes will be entered, whether truly or falsely reported; if a case is expunged the fact will be noted in the last column; the entries in the other columns will stand.

210. In part III will be entered particulars of all residents of the village convicted of any of the following offences 

A

For the purpose of section 75, Indian Penal Code :—

Chapter XII, Indian Penal Code.—All offences except those punishable under sections 241, 254, and 262.

Chapter XVII, Indian Penal Code :—

Sections 379 to 382.—Theft of all kinds.

Sections 384 to 389, except section 385.—Extortion of all kinds.

Sections 392 to 394, 397, and 398.—Robbery of all kinds.

Sections 395, 396, 399, and 402.—Dacoity of all kinds.

Sections 400 and 401.—Belonging to a gang of thieves or dacoits.

Sections 406 to 408.—Criminal breach of trust.

Section 409.—Criminal breach of trust by public servant.

Sections 411 to 414.—Receiving stolen property.

Sections 418 to 420, except 417.—Cheating of all kinds except simple cheating.

Sections 429 to 433 and 435 to 440.—Serious mischief.

Sections 449 to 452.—House trespass in order to commit an offence.

Sections 454 to 458.—Lurking house trespass or house-breaking other than simple.

Section 458.—All attempts at house-breaking.

Sections 459 and 460.—Grievous hurt or death caused in house-breaking.

Section 462.—Fraudulently opening a closed receptacle held in trust.

B

For the purposes of sections 3 and 4 of the Whipping Act, Act IV of 1909 :—

Section 376, Indian Penal Code.—Rape.

Section 377, Indian Penal Code.—Unnatural offence.

C

For the purposes of sections 22 and 23, Criminal Tribes Act, convictions of members of a tribe declared to be a criminal tribe under section 3 of the Criminal Tribes Act for any offence under sections 21, 22, 24, and 25 of the Act or included in the schedule of the Act.

D**Other offences :—**

Sections 121, 121A, and 124A, Indian Penal Code.—Offences against the State.

Section 170, Indian Penal Code.—Impersonating a public servant.

Sections 212, 213, 215, 216, and 216A, Indian Penal Code.—Harbouring and other offences against public justice.

Section 311, Indian Penal Code.—Being a thug.

Sections 363 to 369, Indian Penal Code.—Kidnapping.

Section 461.—Dishonestly breaking open a closed receptacle.

Sections 465 to 469, Indian Penal Code.—Forgery.

Sections 489A to 489D, Indian Penal Code.—Forgery of bank and currency notes.

Sections 109 and 110, Code of Criminal Procedure.—Bad livelihood.

Sections 3 and 4, Act III of 1867.—Keeping, or gambling in, a common gaming house.

Sections 60, 62, 63, and 65, Act IV of 1910.—Offences under the Excise Act.

Section 9 of Act I of 1878.—Offences under the Opium Act.

Sections 19 and 20, Act XI of 1873.—Offences under the Arms Act.

Names of persons convicted under the following sections of the Indian Penal Code will be entered in part III only by special order of the Superintendent of Police :—

Sections 143 to 153.—Rioting; unlawful assembly.

Section 302.—Murder.

Section 304.—Culpable homicide.

Section 307.—Attempted murder.

Sections 324 to 327.—Hurt and grievous hurt.

In the remarks column of part III will be shown the nature of the offence committed, e.g., "cattle theft," "dropped jewellery trick," and if an ex-convict is a member of a known gang this fact will also be noted. In this column the *modus operandi* of men sentenced for burglary should be described. If an ex-convict permanently changes his residence, the new residence will be noted in the last column and his name will be entered in part III of the register of the village to which he has gone. The names of ex-convicts who have been convicted only once and for whom no history-sheets have ever been opened will be expunged 20 years after expiry of their sentence. The names of other convicts will be expunged only on their death.

An alphabetical index to part III of the Village Crime Note-books will be maintained at every police station classified under the following heads, to each of which a separate register or part will be allotted :—

Dacoity, cattle theft, pick-pocketing, railway-passenger theft, goods-waggon theft, cycle-theft, miscellaneous theft, poisoning, cattle-poisoning, bad livelihood, coining, forgery, cocaine and opium smuggling, cheating, kidnapping for immoral purposes, offences against the State, telegraph-wire cutting, and "other miscellaneous offences" entered in part III.

The last may be further sub-classified in any cases in which the Deputy Inspector-General of the range or the Superintendent of Police consider necessary.

If a person is convicted for offences falling under more than one of these heads his name will be entered under each.

NOTE.—The index for burglars is contained in part V of the station officer's confidential Note-book.

211. Part IV will contain entries regarding religious festivals and disputes, disputes over property, factions, offences affecting the railways, canals or telegraphs, the presence of criminal tribes, the prevalence of organized crime such as cattle-theft, the fact that any member of a gang registered in the gang register resides or operates in the village, and similar matters which are of importance from a police point of view. Narratives of all specially important outbreaks of crime will also be entered in some detail. A brief note showing the subject of each entry will be made against it in the margin. Entries will be submitted to the Superintendent for approval before they are made.

History-sheets and Surveillance.

212. Part V consists of history-sheets. These are the personal records of criminals under surveillance. History-sheets should be opened only for persons who are or are likely to become habitual criminals or the aiders or abettors of such criminals. There will be two classes of history sheets :—

(1) Glass "A" history-sheets for dacoits, burglars, cattle-thieves, and railway goods-waggon-thieves.

(2) Class "B" history-sheets for confirmed and professional criminals who commit crimes other than dacoity, burglary, cattle-theft, and theft from railway goods waggon, e.g., professional cheats and other experts for whom criminal personal files are maintained by the Criminal Investigation Department, poisoners, cattle poisoners, railway passenger thieves, bicycle thieves, expert pick-pockets, forgers, coiners, cocaine and opium smugglers, bullies, and telegraph-wire cutters.

History-sheets of both classes will be maintained in similar form, but those of class B will be distinguished by a red-bar marked at the top of the first page. No history-sheet of class B may be converted into a history-sheet of class A, though should the subject of a history-sheet of class B be found to be also addicted to dacoity, burglary, cattle theft or theft from railway goods waggon, A class, as well as B class, surveillance may under paragraph 222 be applied to him. In the event of a class A history-sheet man becoming addicted to miscellaneous crime his history-sheet may be converted into a class B history-sheet with the sanction of the Superintendent of Police.

213. This classification of history-sheets as A and B is based on the principle that, whereas there is always hope of a dacoit, burglar, or cattle thief or railway goods wagon thief mending his ways, the expert miscellaneous criminal is as a general rule incapable of reform. The classification, therefore, depends solely on the kind of crime to which suspects are addicted and is designed to regulate only:—

- (1) the *length of time* for which a suspect should ordinarily remain under surveillance in the absence of complaints against him;
- (2) the *kind* of surveillance which his activities require.

The *degree* of surveillance of the appropriate kind to be exercised over a suspect will depend not on his classification, but on the extent to which he is believed to be active at any particular time.

214. If the subject of an A class history-sheet is thought to be so dangerous or incorrigible as to require more protracted surveillance than the generality of his class, he may be "starred" by the order of the Superintendent of Police. Here, again, the fact that a history-sheet man is starred will necessarily indicate only that he is to be kept under continuous surveillance for a longer period. It will not necessarily indicate that his surveillance while it lasts is to be more intense; the aim being to concentrate the most intense surveillance on the criminal, whether starred or unstarred, who is believed to be temporarily active.

Superintendents of district police may not give orders for the starring of or discontinuance of surveillance over any history sheet of a railway police suspect without the concurrence of the Superintendent of Government Railway Police of the section concerned.

215. The subjects of history-sheets of class A will unless they are "starred" remain under surveillance for at least two consecutive years of which they have spent no part in jail. When the subject of a history-sheet of class A whose name has not been "starred" who has never been convicted of a cognizable offence and has not been in jail or suspected of any offence or absented himself in suspicious circumstances for two consecutive years, his surveillance will be discontinued, unless for special reasons to be recorded in the inspection book of the police station the Superintendent of Police decides that it should still continue.

When the subject of a history-sheet of class A is "starred" he will remain starred for at least two consecutive years during which he has not been in jail or been suspected of a cognizable offence or had any suspicious absences recorded against him. At the end of that period if he is believed to have reformed he will

to be "starred" but will remain subject to surveillance for a further period of at least two years, at the end of which his surveillance will be discontinued only if during that period no complaints have been recorded against him.

In closing the history sheets of and in the "unstarring" of ex-convicts and especially ex-convict dacoits, great care should be exercised.

216. History sheets of B class will be continuously open records and the subjects of these sheets will, except for very special reasons, remain under surveillance until death. This being so it is unnecessary to "star" suspects of this class.

217. The history sheets of men whose surveillance has been discontinued will remain in the village crime note-book but no entries will be made in them. They will be destroyed only on the death of the suspect for whom they have been maintained. *Kept in marked books*

218. No history sheet of class A may be discontinued without the sanction of the Superintendent of Police. If it is desired to discontinue the surveillance of the subject of a history sheet of class B the sanction of the Deputy Inspector-General or Assistant to the Inspector-General, Railway Police, must be obtained. Proposals from station officers for the discontinuance of history sheets and for the "starring" or "unstarring" of A class suspects must be made through the circle inspector unless dealt with directly by a gazetted officer in the course of an inspection.

219. The names, methods and associates of all history sheet men under surveillance must be known to the local police, and beat constables and chaukidars must be personally acquainted with them.

220. Without prejudice to the right of Superintendents of Police to put into practice any legal measures, such as shadowing in cities, by which they find they can keep in touch with suspects in particular localities or in special circumstances, surveillance may for most practical purposes be defined as consisting of one or more of the following measures:—

- (a) Secret picketing of the houses or approaches to the houses of suspects;
- (b) domiciliary visits at night;
- (c) thorough periodical inquiries by officers not below the rank of sub-inspector into repute, habits, associations, income, expenses and occupation;
- (d) the reporting by constables and chaukidars of movements and absences from home;
- (e) the verification of movements and absences by means of inquiry slips;
- (f) the collection and record on a history sheet of all information bearing on conduct.

221. All history sheet men of class A, "starred" and "unstarred," will be subject to all these measures of surveillance. It will be for the station officer, subject to the control of the Superintendent of Police and circle inspector, to regulate the intensity with which they are applied in each particular case according to the believed temporary activity of the suspect. Thus the movements and absences of all men of class A must be reported at the police station, but they need not be verified by means of inquiry slips when they do not appear to be suspicious. Similarly while a thorough local inquiry into general repute, habits, associations, income, expenses and occupation in the case of men, whether "starred" or "unstarred," who are believed to be quiescent, need be made only once a year by the station officer or by a subordinate sub-inspector under his direction, such inquiries should be made half-yearly or with even greater frequency in the case of men, whether "starred" or "unstarred," who are believed to be temporarily active

222. History sheet men of class B will be subject to measures (d), (e) and (f) but not to measures (a), (b) or (c) unless the nature of the particular crime to which they are addicted requires that these measures should be applied to them. Thus, while it might be necessary to have a telegraph wire cutter visited, or to have his house picketed at night, the application of these methods of surveillance to a professional cheat would be futile.

Similarly though the absences from home of all history sheet men of class B must be reported at the police station, and though all such men will be liable to have their movements verified, this verification need not be made when it would clearly serve no useful purpose. It would almost invariably be essential, for instance, to verify the movements of a poisoner or a pickpocket but rarely necessary to verify those of a local bully. In such matters station officers will be expected to exercise an intelligent discretion having regard to the circumstances of the criminal's absence and the nature of the crime to which he is addicted.

223. History sheets of both classes will be maintained as directed in this paragraph, and those already in use in the old form will be drawn up to conform with these directions.

Entries regarding relations, associates, dependents, property, occupation, income and convictions will be made in the appropriate columns on the first page and must be kept up to date and checked by circle inspectors and all inspecting officers. The remainder of the history sheet will be maintained as a series of paragraphs containing facts in chronological order with marginal headings.

The first paragraph will be written when the history sheet is opened and will give brief details of the suspect's previous record and of all the reasons which have led to the opening of a history sheet for him. All these initial entries in a history sheet must be submitted to the Superintendent for approval before they are made.

Subsequent paragraphs will be filled up at the police station without reference to the Superintendent and will contain —

- (a) details of all suspicious absences ;
- (b) details of all reports made to the police and of all cases, cognizable or non-cognizable, instituted against the bad character ;
- (c) results of periodical inquiries made into the bad character's habits and general repute ;
- (d) details of cases in which the bad character has been suspected.

Reports of absences will not be entered unless they are suspicious. Reports of picketing and domiciliary visits will not be entered unless they are productive of information of the kinds detailed above. As "cases in which the bad character has been suspected" will be shown only those cases in which the Superintendent, Assistant Superintendent or Deputy Superintendent has passed suspicion as reasonable.

Each paragraph should quote the number and date of the daily diary or other document on which it is based but should be full enough to be complete in itself. The nature of the information contained in each paragraph should be clearly shown against it in the margin, e.g. "Local inquiry by circle inspector," "Suspicious absence," "Complaint of marpit," "Suspicion of burglary".

Entries regarding habits and general repute should be based on inquiries from respectable inhabitants of the suspect's village and neighbouring villages and should show whether the suspect is reported to be committing crime or to be earning an honest livelihood, the amount of his earnings, his expenses, whether he is in regular work and the character and identity of his associates. Vague generalities should be avoided.

If the accused is a resident of another district or province or of an Indian State, or has been sent for trial by the railway police the same procedure will be followed except that the Superintendent of Police will not order a history sheet to be opened. If the accused is convicted and the Superintendent considers a history sheet to be desirable the P. R. slip will be signed and sent to the Superintendent of the jail. In column 10 of form no. 148 (conviction roll) the prosecuting inspector will note in red ink that this has been done and in column 15 of the same form a note will be made recommending that a history sheet should be opened. Any conviction roll on which a recommendation for the opening of a history sheet has been made must on receipt in the district of the convict's residence be put up before the Superintendent of Police of that district who will decide whether a history sheet should be opened or not, and will address the Superintendent of the jail regarding the cancellation of the P. R. slip, if he does not agree that a history sheet is necessary. Notwithstanding anything in the above the Superintendent of Police of any district in the United Provinces shall, subject to the final decision of the Deputy Inspector-General of the Range, to whom any question of disagreement must be referred, be bound to open a history sheet at the request of the Superintendent of any Government Railway Police section for any person resident of his district who is suspected or convicted of crime on that section. The Superintendent of the Government Railway Police section should specify the kind of surveillance required in each case.

In the case of persons sent for trial by the railway police, in which the Superintendent considers a history sheet desirable, the prosecuting inspector will send form no. 148 (conviction roll) endorsed, as directed above, to the Superintendent of the man's district, through the Superintendent, Railway Police.

The Superintendent, Railway Police, in forwarding form no. 148 to the Superintendent of the district concerned will state, whether he considers a history sheet necessary or not. In the latter event, he will request the Superintendent of the jail to cancel the P. R. slip.

225. P. R. slips when sent to the Superintendent of the jail will be attached to the warrants of the convicts concerned and sent with them to any jail to which they are transferred. A convict whose P. R. slip has been prepared will be released at the headquarters of the district in which he resides. If he resides in a district bordering on an Indian State he will on the day of release be sent to the prosecuting inspector and released in his presence. A month before the date of release the Superintendent of Police of the district will receive the P. R. slip from the Superintendent of the jail as a warning that release is due. If for any reason a P. R. convict cannot be released in his district of residence the Superintendent of the jail will enter an explanation of this on the P. R. slip when he sends it to the Superintendent of Police. On receiving a P. R. slip the Superintendent of Police will send it to the police station concerned with any instructions that may be necessary. The officer in charge of the police station will return the slip to the Superintendent and will report whether the convict's conviction has been duly entered in Part III of the village crime note-book and the number of his history sheet, if it has been opened on conviction as it should have been. If no history sheet was opened steps must be taken to discover who is responsible for the omission and a history sheet must be opened immediately unless there are special reasons why this should not be done. P. R. slips will be filed in the record room in separate bundles by police stations. They may be taken to police stations by inspecting officers to be used in the checking of history sheets. They will be destroyed after a year.

226. The following principles should guide the Superintendent of Police in deciding whether a history sheet should be opened and, if so, in what category the subject of it should be placed. As soon as it has been established by suspicion

Members of criminal tribes and juveniles with more than one conviction are not admitted to the Juvenile Jail at Bareilly. The former are subject to the rules given in the Criminal Tribes Manual.

227. Before a sub-inspector takes action under section 110, C. P. C., he should submit an application in police form no. 5, through the circle inspector to the Superintendent. The circle inspector will forward the application to the Superintendent without delay with a report written after local inquiry from his own knowledge of the suspect. If the Superintendent approves of the report he may forward it to the Sub-divisional Magistrate or District Magistrate as the "information" under section 110, C. P. C. If the Magistrate deems it necessary to require any person to show cause under section 110, C. P. C., he will make an order in writing under section 112, setting forth the details required by that section and will return form no. 5 to the sub-inspector who will take immediate steps to arrest the person and to produce him before the magistrate with the necessary evidence. Form no. 5 will be sent to the prosecuting officer as his brief in the case and may be attached to the file if the magistrate sees fit. History sheets will not be sent to courts as a matter of course but only when courts ask to see them. No statements should be recorded by the police when they are making enquiries for the purpose of action under section 109 or 110, C. P. C. If such statements are recorded the accused may be able to obtain copies of them under section 162, C. P. C.

228. The names of all history sheet men will be entered in the note-books of beat constables and in the crime record books of village chaukidars. All visits by officers and men to villages in which bad characters reside will be shown in the fly-sheet of the village crime note-book and an entry in the fly-sheet will indicate that all A class history sheet men in the village have been visited. A full note showing the result of these visits will be made in the general diary, a reference to the number of the general diary report being made in the fly-sheet; on all occasions when anything of importance is ascertained a brief note will also be made in the history sheet. In cities, a separate fly-sheet on which visits to the suspect will be recorded should be attached to each history sheet.

229. The officer in charge of a police station when recording in a history sheet an entry affecting an accomplice who is a resident of another circle shall inform the police of that circle.

230. When the subject of a history sheet changes his residence within the district the circle inspectors concerned will decide whether the history sheet should or should not be sent to the police station to which he has gone. If a suspect changes his residence to any other district in British India his history sheet will be forwarded in original by the Superintendent of Police to the Superintendent of the district to which he has gone. If he changes his residence to an Indian State the State police will be informed of the fact through the English office of the Superintendent, and if a history sheet is asked for a copy of it will be sent. Whenever a history sheet is transferred from one police station to another in the same district both station officers concerned will report the fact to the Superintendent to enable him to correct his headquarters list (paragraph 232).

231. The district police will keep up history sheets of persons addicted to crime on railways, except in special cases, where in the opinion of both Superintendents, the surveillance can be carried out more efficiently by the railway police.

In the event of a difference of opinion, the orders of the Deputy Inspector-General of the range will be final. Duplicate copies of history sheets of persons addicted to crime on railways will be maintained by the railway police who for this purpose should be allowed access to district police records, as often as may be necessary. Sub-inspectors of railway police shall immediately intimate to the

sub-inspector, district police, who is maintaining the history sheet, any facts which in their opinion should be entered on the history sheet, and in any case shall forward a quarterly memorandum, which will be attached to the history sheet. Similarly the district police should communicate to the railway police concerned any information coming to their notice regarding the subject of a history sheet addicated to crime on railways, which it is important to bring to the notice of the railway police.

232. At each police station two lists will be maintained of all persons in the circle on history sheets—one list for each of the classes A and B.

These lists will show name, caste, residence, previous convictions, date of opening of history sheet, dates of "starring" and "unstarring" (in the case of A class suspects only) and date of discontinuance of surveillance, and will also contain a column for remarks. When a class A suspect is starred, a star will be placed against his name in red ink on the class A list. The names on each list at each police station will be serially numbered from 1. Serial numbers will never be changed; whenever a new history sheet is opened a new number will be taken for it on the appropriate list, and when the surveillance of a suspect is discontinued the serial number of his history sheet will not be used again unless his surveillance is resumed.

At the headquarters of each district exactly similar lists will be maintained *thanawar* in English by the Superintendent's reader for each class of suspect. The serial numbers on headquarters and police station lists will correspond. The headquarters list should be kept up to date and should be used as a check at police station inspections and in dealing with all matters connected with crime.

In the column of associates on a history sheet the serial numbers and class letters of all associates who are themselves on history sheets will be shown against their names, e.g., A 7, B 9.

233. Lists of bad characters and history sheets are confidential records and though history sheets are kept in the village crime note-book the station officer must see that unauthorized persons do not obtain access to them.

234. The responsibility of circle inspectors in the matter of surveillance will be strictly enforced. Whenever a circle inspector visits a police station he will check one or two of the history sheets to see if they have been kept up to date and will make an entry in his weekly diary to this effect. At his annual inspections he will make local inquiries regarding bad characters, paying special attention to those who are suspected to be temporarily active or who reside in areas where crime is prevalent. He will note the results of such inquiries in the history sheets. Circle inspectors will keep up a list of all persons on history sheets in their circles in the same form as the police station and headquarters lists. They will be held responsible for recommending the opening of history sheets, the discontinuance of surveillance and the "starring" and "unstarring" of A class suspects as occasion may require, and for the prosecution of section 110, C. P. C., cases within their circles whenever necessary. They will bring to the notice of the Superintendent of Police the case of any police station where the number of history sheets open is excessive or where surveillance is not being properly exercised and will make suggestions for any improvement that may be required.

235. For special instructions regarding the surveillance of persons for whom criminal personal files are maintained by the Criminal Investigation Department, see Criminal Investigation Department Manual, Chapter IX, Part 7.

Gang register.

236. Whenever an organised gang of dacoits, burglars, cattle thieves or railway goods wagon thieves comes to light, particulars of the whole gang should be entered in the gang register (form no. 45) at every police station and at the

headquarters of every district in which any member of the gang resides. It is not necessary that all members of a registered gang should have history sheets. Any particulars which it may be necessary to have on record regarding any individual member whose history sheet has not been prepared should be entered against his name in column 6 of the register. Should the space available in column 6 be insufficient to contain all the facts of importance which require to be recorded about any member of a gang the necessity for a history sheet will be indicated. In column 7 will be entered the reasons for registration, the previous history and *modus operandi* of the gang and a narrative of all facts subsequently ascertained regarding it. Whenever inquiries are made about a gang, the notes of the circle inspector or other inquiring officer, or, if nothing of importance is ascertained, his initials and the date of inquiry will be entered in this column. Gangs will be entered in the gang register under the orders of the Superintendent of Police. The gang register will be a permanent record and gangs will never be expunged from it but on its being established that a gang has been broken up, inquiries and entries in the register regarding it may be discontinued by the orders of the Superintendent of Police; in which case an entry to this effect will be made in column 6 and below it a line will be drawn in red ink across the page.

237. On the conclusion of every dacoity case the headquarters gang register must be examined by the prosecuting inspector who should consider and report to the Superintendent of Police what entries should be made in the register, at the same time as he considers and reports what further clues remain to be followed up in the case. Should a gang be found to have ramifications in more than one district, the Superintendent of Police of the district in which it first comes to light will be responsible for proposing its registration to the Superintendents of Police of all the other districts concerned. Superintendents of all districts in which a gang is registered must be informed of all matters of importance ascertained about it in any district and all questions regarding the addition of names or the discontinuance of entries and inquiries should be decided among the Superintendents of Police concerned, if possible by personal discussion, once a year. Any case of difference of opinion as to the necessity for the registration of a gang operating in more than one district or for the continuance or discontinuance of inquiries and entries regarding it should be referred to the Deputy Inspector-General for orders.

238. The headquarters gang register will be maintained in English by the Criminal Tribes sub-inspector who will twice a year, at intervals, as far as possible of six months, visit each police station in his district in which any gang is registered, and will check his register with the police station register taking copies in his register of any entries of importance made in the police station register and communicating to station officers any facts ascertained by him from other sources regarding gangs registered by them.

239. Any gang on the gang register which shows signs of fitness for proclamation and registration under the Criminal Tribes Act should be brought on to the form of gang statement prescribed in the Criminal Tribes Act Manual. A note should be made in the gang register whenever this is done.

Rules for reporting and verifying the movements of bad characters.

240. It is the duty of the village chaukidar or beat constable (in towns) whenever a bad character on a history sheet leaves his home immediately to inform the officer in charge of the police station of his departure and destination, if known.

241. On receiving a report of the departure of a history sheet man of either class, starred or unstarred, the officer in charge of the police station must decide in accordance with the principles laid down in paragraphs 221 and 222 whether it is necessary to send an inquiry slip A. As the station officer himself will not

always be present at the police station the names of bad characters for whom inquiry slips should be sent should be kept on record in the office. When it is thought necessary to send an inquiry slip A it must be made out at once in form no. 204 and forwarded by the quickest means, whether by hand or post, to the officer in charge of the circle to which the bad character is alleged or believed to have gone. The chaukidar who makes the report of departure should never be made to carry the inquiry slip to the police station of destination.

242. If the destination of a bad character for whom an inquiry slip is to be sent is unknown, a carbon or other copy of the inquiry slip will be sent to every police station to which he may reasonably be thought to have gone. A reference to the column of relations and associates in the history sheet should indicate the bad character's possible destination.

When a railway thief with a history sheet absents himself under suspicious circumstances, the Government Railway Police officer concerned must be immediately informed.

243. When a bad character leaves his home for an unusual or suspicious destination within the circle of which he is a resident, the report of the constable or chaukidar will be entered in the general diary and the visit will be verified as soon as possible, by inquiry through a constable or from the chaukidar of the village to which the bad character is alleged to have gone.

244. Reports made by chaukidars of the absences of bad characters (1) to a destination outside the circle, (2) to an unusual destination within the circle, (3) to an unknown destination, (4) at night, will be recorded in the general diary; and a reference to the number and date of every such report will be entered in the chaukidar's crime record book in the column provided for that purpose after each suspect's name.

245. A police officer receiving an inquiry slip A (paragraph 241) will immediately take steps to ascertain whether the bad character has arrived; he will then fill in the inquiry slip at once and send it back to the police station from which it was received. If the bad character remains in his circle he will cause him to be watched in the same way as if he were a bad character of his own circle and if anything of importance transpires about him during his stay he will send information of it at once to the officer in charge of the police station of origin. He will not delay the return of the inquiry slip A in the expectation that the bad character may return to his home.

246. If the bad character leaves on a date or at a time different from that given in the inquiry slip the officer receiving the inquiry slip will inform the officer who sent it.

247. If the bad character does not arrive within a reasonable time in the police circle to which he is alleged to have gone the officer in charge will return the inquiry slip at once with a report to this effect and will direct the chaukidar or constable concerned to watch for the suspect's arrival. If the bad character eventually arrives a report will at once be sent to the police station from which the inquiry slip originally came giving the particulars required in the inquiry slip.

248. If the bad character leaves the limits of the police station to which he has come for any destination other than his home, the officer in charge of the police station will issue an inquiry slip A to the officer in charge of the police station to which he has gone in the same way as if he were a resident of his own circle, sending a copy of the slip to the officer in charge of the police station of the bad character's residence. The officer in charge of the police station to which the bad character has gone will send his reply to the inquiry slip to the police station of the bad character's residence, and will continue to act in case of further movements as if the bad character had come direct from his home.

249. In any case in which a bad character's absence is found to be suspicious a brief note of the facts should be entered in his history sheet as described in paragraph 223.

250. If the village chaukidar hears of the arrival of a suspicious stranger in his village he will question him regarding his antecedents and residence and will send or take to the police station as quickly as possible all the information so obtained.

251. On receipt of such information from any source the officer in charge of the police station will send an inquiry slip B (form no. 205) as quickly as possible to the police station from which the stranger is alleged to have come and will note on the counterfoil his reasons for doing so.

252. On receiving an inquiry slip B, the officer in charge of the police station will at once return it with the information regarding the stranger. If the stranger is not a resident of his circle he will return the inquiry slip with a note to this effect. The officer who issued the inquiry slip will on receiving a reply be in a position to decide whether action under section 109, C. P. C., should be taken against the stranger or whether he should continue to be watched. If neither prosecution nor surveillance is required the inquiry slip will be filed and no further notice will be taken of the stranger.

253. If the movements or behaviour of a suspicious stranger make it reasonable to arrest him under section 55, C. P. C., such action should be taken at once without waiting for a reply to the inquiry slip.

254. On the departure of the stranger from the limits of the police station from which inquiry slip B was issued the inquiry slip will be returned to the police station of his residence (a) if something suspicious has been recorded against him during his visit or (b) if he is on a history sheet. In all other cases the inquiry slip will remain at the police station from which it was issued.

Whenever an inquiry slip B is returned to the police station of residence, the hour and date of the suspect's departure will be given on the slip and in case (a) above, details of suspicious behaviour should be added.

255. If a suspect for whom an inquiry slip B has been sent is on a history sheet and leaves for a police circle other than that of his home, an inquiry slip A will be sent to the officer in charge of the police circle to which he has gone, a copy of this being forwarded to the police station of his residence. The reply to this inquiry slip will be sent direct to the police station of residence and the officer in charge of the police station to which the suspect has gone will act as if the suspect had come direct from his home and inquiry slip A had been sent for him from his police station of residence.

256. The duties assigned to chaukidars in rural areas will be performed in cities and towns by the police. Wherever a telephone is available inquiry slips will not ordinarily be despatched, but the telephone will be used whenever reports of arrival or departure are received, such reports being recorded in the general diary and inquiry slips being prepared for purpose of record. Replies received by telephone will similarly be entered in the general diary and on the inquiry slip. City inspectors and officers in charge of city police stations will be responsible for seeing that files of inquiry slips are kept up to date and that replies are promptly given to telephonic inquiries. Any delay of more than 24 hours in replying by telephone to an inquiry about the movements of a bad character should at once be reported to the city inspector.

257. Officers in charge of police stations must supervise the issue of inquiry slips. They will be held responsible for their correct and regular use, for examining them and for seeing that information regarding suspicious or unverified movements is duly entered in the history sheets concerned. An index of all inquiry

slips issued and received will be maintained at every police station showing in tabular form the names, destinations, history sheet numbers and times of arrival and departure of all those for whom they are issued. When inquiry slips are sent to other provinces the English counterparts must always be filled in.

Rules for convicts concerning whom an order has been passed under section 565, C. P. C., and prisoners conditionally released under section 401, C. P. C.

252. Under section 565, C. P. C., any person convicted of any of the offences specified in that section may be ordered at the time sentence is passed upon him to notify under such rules as the Local Government may make, his residence and any change of or absence from such residence for a term not exceeding five years from the date of the expiration of his sentence. The following are the rules made by the Local Government under this section:—

- (1) On the date of his release the convict shall report himself in person to the Superintendent of Police or officer in charge at headquarters and shall intimate to him the village or mohalla in which he intends to reside. The Superintendent of Police or officer in charge at headquarters will then inform him of the conditions which he is required to fulfil.
- (2) Thereafter, until the expiration of the term prescribed in the order under section 565, C. P. C., the convict shall comply with the rules made by the Local Government under section 20 of the Criminal Tribes Act (VI of 1924) in so far as they relate to registered members of criminal tribes liable to the provisions of section 10(b) of that Act, but such person shall only be required to notify his residence and any change or absence from such residence, and not any intended change.

Any convict concerning whom an order under section 565, C. P. C., has been made who refuses or neglects to comply with these rules is punishable under section 176, I. P. C., and may be arrested by any police officer without a warrant under section 54(1) (8), C. P. C.

253. Under section 401, C. P. C., read with paragraphs 1227, 1228, 1240 and 1246 of the United Provinces Jail Manual (1915) convicts may be released before the expiry of their sentences upon certain conditions which may be in form A or B and must be accepted by the convict before his release.

Conditions in form A require that during the period of sentence conditionally remitted—

- (1) the convict will not commit an offence punishable by any law in force in British India;
- (2) he will not in any way associate with persons known to be of bad character or lead a dissolute or evil life;
- (3) he will reside within a specified district at such place as the Magistrate of that district may from time to time direct and will not go beyond or absent himself from the limits of such place without the permission in writing of the Magistrate of the district or the Superintendent of Police;
- (4) unless and until he is exempted from doing so by the District Magistrate he will report himself periodically at such time and place and to such persons as may from time to time be prescribed by the District Magistrate or Superintendent of Police of the district in which he is required to reside.
- (5) he will generally submit to and comply with the rules relating to police surveillance to be exercised over conditionally released convicts.

Under clause (5) above the Local Government have directed that the convict shall on the day of his release report himself in person to the Superintendent of Police who will inform him of the village or muhalla in which he must reside, and that thereafter, during the conditionally remitted period of his sentence, the rules relating to the surveillance of registered members of criminal tribes liable to the provisions of section 10(a) of the Criminal Tribes Act (VI of 1924) and whose movements have been restricted under section 11 of that Act shall apply to him.

Conditions in form B require merely that the convict shall proceed under police escort, if required, to the border of a specified independent state or to the court of the Political Agent of that State and will not re-enter British Territory without written permission.

Any convict released on conditions A or B who is detected in the commission of any breach of these conditions may be arrested without a warrant by any police officer. The case of any convict so arrested must be reported for the orders of the District Magistrate who may detain the convict in custody pending the orders of Government cancelling the convict's remission. A convict whose remission is cancelled may then be remanded under section 401, C. P. C., to undergo the unexpired portion of his sentence.

The surveillance to be exercised over convicts, released on conditions in form A under section 401, C. P. C., and convicts in respect to whom an order under section 565, C. P. C., has been passed will be the same as that exercised over members of criminal tribes upon whom the same restrictions have respectively been placed, though such convicts will not have register sheets. Separate registers for each of the two classes must be maintained in the prescribed form at police stations and by the criminal tribes sub-inspector at headquarters. Particulars of convicts in respect to whom an order under section 565 is passed must be entered in the appropriate register at the time of conviction. The attention of Superintendents of Police is drawn to the importance and usefulness of section 565, C. P. C. In every case in which it can be applied, prosecuting inspectors should be directed to approach the court with an application for an order under it.

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CHAPTER XX.

EXECUTION OF PROCESSES.

261. Under section 547 of the Code of Criminal Procedure, any money (other than a fine) payable by virtue of any order made under this Code, and the method of recovery of which is not otherwise expressly provided for, shall be recoverable as if it were a fine.

262. Warrants for recovery of fines by attachment and sale of movable property should be executed in the following manner:—

(1) Such warrants shall ordinarily be directed through the prosecuting inspector to the police officer in charge of the circle, within which the property of the offender is situated, and may be endorsed by the station officer to any police officer subordinate to him.

(2) Payment of the fine shall first be demanded from the person liable.

(3) If payment is made to the police officer on demand, the money shall be paid by him into the nearest treasury or sub-treasury, and the warrant returned to the court with an endorsement of execution.

(4) If payment is not made at once, the police officer bearing the warrant will attach the movable property of the person fined to an amount sufficient to liquidate the fine. He will then return the warrant to the magistrate, after endorsing on it a note of what has been done.

(5) If it is necessary to sell attached property, the sale will be made not by the police, but by the nazir or kurk amin under the Magistrate's orders.

263. When money is paid by a police officer into a treasury or sub-treasury it should be sent with a pass-book (High Court form no. 3) and a separate extract therefrom in duplicate, respecting each item entered therein.

The officer in charge of the treasury or sub-treasury shall, on receipt of the money sign the pass-book and one of the extracts and return them.

The extract so returned shall be forwarded by the officer in charge of the police station to the court which ordered the payment, or, if that court be the Court of Sessions, to the District Magistrate.

On receipt of a pass-book extract from an officer in charge of a police station, the Magistrate will forward to such officer a check receipt (High Court printed form part XVI, no. 3). The check receipt may be prepared in English or in the vernacular or both; but in any case the words and figures denoting the sum for which the receipt is being issued will be written on the receipt by the presiding officer of the court with his own hand, and he must sign the receipt.

264. When a police officer serves a summons outside the local limits of the jurisdiction of the court from which it was issued, he shall make an affidavit in form no. 42 before the nearest Magistrate. The affidavit and the duplicate of the summons shall be returned to the court by which the summons was issued.

Printed forms of the affidavit shall be issued to all officers in charge of police stations.

265. No warrant of arrest in a non-cognizable case shall for any reason be kept by the police for more than six weeks. When a warrant is returned unexecuted full reasons for its non-execution must be reported to the court.

266. The execution of warrants for recovery of municipal, cantonment or notified area taxes, issued by a magistrate or by a cantonment or notified area committee is not a police duty. Under G. O. no. 2265/XI—644-D., dated August 5, 1909, this duty must be performed by a member of the municipal staff.

The police should refuse to accept irregular processes of any kind for service.

RECORDS AND RETURNS FOR POLICE STATIONS.

CHAPTER XXI.

267. A list of the registers to be kept up at and the returns to be submitted from police stations will be found in Appendices I and II.

268. The *Police Gazette* and the *Criminal Intelligence Gazette* are supplied to police stations. Volumes of five complete years should be kept; those of older dates should be destroyed.

269. The following lists will be prepared annually in the Superintendent's office from information supplied by the District Magistrate and will be sent to every police station to be kept on a file in the station office till the close of the year:—

- (a) A list of persons resident in the district exempted by name from any of the provisions of the Arms Act, with a list of the persons licensed under the Arms Act residing or carrying on a licensed business within the limits of the police station. To every police station on the border of another district should also be supplied a list of exempted persons residing within the limits of adjoining police stations of that district.
- (b) A list of all persons holding licences under the Excise or Opium Acts, and carrying on a licensed business within the limits of the circle.
- (c) A list of all public ferries within the limits of the circle with the names of the licensees.

270. In every station house the following lists should also be kept on file in the office:—

- (1) Of all Government property.
- (2) Of all Acts and books of reference.
- (3) Of rural beats of constables.
- (4) Of registers maintained at the station.
- (5) Of reporting days for rural police.
- (6) Of officers and men attached to the station, with dates of posting.
- (7) Of officers by whom the station has been inspected since December 31, with dates.
- (8) Of Acts or portions of Acts applied or extended to the circle (paragraph 321.)
- (9) List showing receipt and distribution of pay, rewards, and allowances.
- (10) History sheeters, class A.
- (11) History sheeters, class B.
- (12) Leave applications.
- (13) Reward applications.
- (14) Good conduct allowances to village chaukidars.
- (15) Residents of the circle who have been convicted whether inside or outside the circle
- (16) Cases supervised by gazetted officers.
- (17) Cases of snake-bite and deaths from wild animals.

- (18) Cases under the Stage Carriages Act.
- (19) Cases under the Motor Vehicles Act.
- (20) List of village chaukidars.

The fact whether a particular inspection was an annual or a casual inspection should be shown on list (7). Whenever an inspection is made an entry in the list should be made immediately. The list for each year should be kept for a second year for reference.

271. A notice board shall be set up in a conspicuous place at every police station for proclamations and public notices. The officer in charge shall remove or renew notices as occasion requires. If any of the sections of the Gambling Act, except sections 13 and 17, have been extended to any place within the limits of the station circle, a notice stating the boundaries of the place should be kept on the board and renewed as often as it becomes illegible.

272. A map showing the position and boundaries of all villages in the station circle should be hung on the wall of the station office. If the station circle contains any town or city or part of any town or city, there should be a map of it showing mohallas and beats.

NOTE.—These maps are in addition to those maintained for the classification of burglaries.

273. A list of the forms to be kept at police stations is published separately. Forms should be supplied to a police station only when the stock in hand there is low and not as a matter, of course on receipt of a supply from the Government Press.

274. All blank volumes of general and case diaries must, when received from the Government Press, be stamped on each page with the Superintendent's office stamp before being stocked in his record-room, and the number of volumes received should be noted in the stock book of registers and forms (Manual miscellaneous form no. 33R). Care should be taken to see that no pages have been abstracted, and blank volumes of diaries must be kept in safe custody.

275. Before blank volumes of general and case diaries (police form nos. 217 and 342) leave the Superintendent's office for distribution, the pages must be carefully counted to see that there are no mistakes in numbering on the part of the Government Press, and at the beginning and end of each volume a note must be made showing the number of pages contained therein and any mistakes in numbering that have been found. This entry must be signed by the Superintendent of Police or other gazetted officer.

276. At each police station a register in manual miscellaneous form no. 33R must be maintained for all blank registers and authorized forms issued from the police office.

277. When a volume of the case diary is brought into use form no. 280 should be prefixed to it as an index.

278. The general diary (police form no. 217) shall be written in duplicate under the superintendence of the officer in charge of the station, who is responsible for the entries made in it and must sign it daily. The "officer in charge" includes the officer in temporary charge under section 4(1)(p) of the Code of Criminal Procedure. The duplicate copy will remain at the police station, the original being sent to the Superintendent or Assistant or Deputy Superintendent in charge of the sub-division. The diary should be a complete but brief record of the proceedings of the police, and of occurrences reported to them or of which they have obtained information. With the exceptions specified in the following paragraph details contained in a first information report, case diary, or separate report need not be repeated in the general diary.

279. The following matters must be recorded in the general diary:—

- (1) Report of the morning parade with a note of the cause of absence of any officer or man.
- (2) Verification of cash balance and inspection of malkhana by the officer in charge.
- (3) Distribution of daily duties and grant of casual leave.
- (4) Departure and return of police officers on and from duty, transfer or leave.
- (5) Reports of the performance of all duties, e.g., beat duty, process-serving, inspection, and investigation.
- (6) Transfer of charge of the police station or of the head moharrir's duties.
- (7) Posting and relief of sentries when under paragraph 59 they have to be posted and relieved by a sub-inspector, head constable, or naik.
- (8) Receipt and disbursement of cash.
- (9) The fact that the police have taken possession of any property together with brief details of such property and of the action taken to dispose of it.
- (10) Arrests made at the police station.
- (11) The arrival or departure of prisoners with a statement, in the case of departing prisoners, of the reasons for imposing or not imposing hand-cuffs.
- (12) Admission of prisoners to bail at the station.
- (13) Reports of offences, with number of check receipt (forms nos. 341 or 347), distance and direction from the station of the village from which the offence is reported; and, in the case of cognizable offences, the number of offences reported from that village up to date during the year.
- (14) Reports of all occurrences which under the law have to be reported, or which may require action on the part of the police or the magistracy, or of which the district authorities ought to be informed.
- (15) Action taken on reports.
- (16) Details of papers received and despatched.
- (17) Inspections of the station by gazetted officers and inspectors.
- (18) On the 1st and 16th of every month a statement of all property taken possession of by the police and present in the malkhana pending disposal.
- (19) On the 1st and 16th a list of outstanding references and orders.

280. During the day reports of all kinds must be entered immediately on the occurrence of the events to which they refer. During the night reports of the following events must also be entered immediately:—

- (a) All offences and all events which require immediate action on the part of officer in charge.
- (b) Arrival or despatch of prisoners, money, and property.
- (c) Posting and relief of sentries when carried out by an officer under paragraph 59.

281. Unless the Superintendent prescribes some other time to fit in better with the post or other method of despatch, the general diary should be closed, for each day at sunset, and entries made during the night will form part of the diary of the following day.

282. Whenever any entry in the general diary should be brought to the notice of the district or sub-divisional magistrate, the Superintendent may send either the diary in original, or a copy of the entry.

283. No court can inspect a general or case diary or compel any person to give oral or documentary evidence derived from it otherwise than as provided by the Code of Criminal Procedure, without the permission of the Inspector-General of Police.

I.—When a summons to produce a police diary is served upon a Superintendent of Police or a police officer subordinate to him by a court or an application for the production of a diary is received from a court in any case not covered by section 172, Criminal Procedure Code, the Superintendent will permit the diary to be produced and inspected by the court and allow evidence derived from it to be given unless there are in his opinion valid reasons for withholding such permission. If he considers that permission should be withheld he must at once report the matter to the Inspector-General of Police who will decide whether permission should be given or withheld. If the court does not state what it is proposed to prove from the diary the Superintendent of Police should ask the court for this information and embody it in his report to the Inspector-General.

II.—In the case mentioned in the latter part of rule I if no reply has been received from the Inspector-General of Police before the date fixed for the production of the diary in court, or if the Inspector-General considers it expedient to withhold the permission required by law, the diary should be produced in court but under a sealed cover and the officer producing it should claim the privilege allowed by section 123 of the Indian Evidence Act, and decline to break the seal without the permission of the Inspector-General; if such permission has been refused he should add that reference has been made to the Inspector-General and that he has refused permission.

III.—In the case mentioned in rule II a police officer may on no account refer to the diary for the purposes of refreshing his memory while giving his evidence. If pressed in court to refer to the diary he must refuse to do so without the permission of the Inspector-General. He may be asked to depose from his memory regarding facts which are recorded in the diary, though even so he is entitled to claim privilege under section 124 or 125 of the Evidence Act when either of these sections is applicable.

The procedure laid down above should be followed whenever courts require the production of records of any kind which are protected by section 123 of the Evidence Act. Any case in which a police record protected under this section is read in court in spite of the protest of the police officer producing it should immediately be reported to the Inspector-General of Police.

284. In addition to the blank book prescribed by paragraph 9 of these regulations for inspections by magistrates an inspection book in each of the authorized printed forms (nos. 35 and 35A) will be kept at each police station for departmental officers only and will be used both for detailed and casual inspections. Notes of all inspections made by gazetted police officers will be forwarded by the Superintendent of Police to the District Magistrate.

CHAPTER XXII.

ACCOUNTS KEPT AT POLICE STATIONS.

285. All amounts received and disbursed shall be entered immediately at the station in the vernacular cash book, form no. 224. At the end of the month details of the balance in hand should be shown.

286. On receipt of cash the station officer will enter in the general diary the hour of its arrival and the amount disbursed on date, the balance in hand and the reason for the whole sum not being paid away; all subsequent amounts disbursed shall be entered in the diary at the time they are paid.

287. The undisbursed balance will be kept in a strong box under lock and key, and will be verified daily by the officer in charge of the station. The box will be placed where the sentry can see it; it should be attached to a post or to the ground by a chain. The key shall be kept by the senior officer present at the station.

288. The receipt and expenditure of postage service labels and post cards should be shown in the cash book as if they were money.

289. Officers in charge of police stations or reserve inspectors receive from the Superintendent of Police a permanent advance to meet the following expenses which are debitible to the budget allotments noted against each :—

Serial no.	Nature of Charge.	To be met from the allotment under the head,
1	Transport of dead bodies (both of persons and animals), wounded and accused persons, vagrants and lunatics, criminal and non-criminal.	26. Police—District Executive Force. Contract contingencies—Transport charges of dead bodies, wounded and accused persons.
2	Carriage between police station and courts of the property of accused persons (including those sent for trial by the Excise department).	
3	Charges for carrying poor persons to hospital.	
4	Carriage of unclaimed property from police stations to courts.	
5	Conveyance hire of accused persons arrested by sergeants.	
6	Post-mortem charges. (Wages of sweepers who attend to corpses) and miscellaneous mortuary charges.	
7	Carriage of property sent by courts to the malkhana after decision of cases.	
8	Diet expenses of messenger sent by sarpunch to the police station to report the occurrence of death in which foul play is suspected.	
9	Dieting of wounded persons in police cases ..	22.—General administration—District administration—General Establishment. Is under the control of the Inspector-General of Police. Superintendents of Police should make the necessary payments and draw bills on the Pay and Accounts Officer, Land Revenue and General Administration departments, Allahabad.

Serial no.	Nature of Charge.	To be met from the allotment under the head.
10	Lighting, punkha coolies, sweeper's charges in case of a European in police custody.	25.—Jails and convict settlements. Charges for police custody. Is under the control of the Inspector-General of Police—Superintendents of Police should make the necessary payments and draw bills on the Pay and Accounts Officer, Jails, Medical and Public Health departments, Lucknow.
11	Dieting charges of accused persons ..	22.—General Administration—District Administration—General Establishment—Dieting and guarding charges of non-criminal lunatics.
12	Pay of waterman engaged for the supply of water to prisoners in under-trial havalats.	Is under the control of the Inspector-General of Police—Superintendents of Police should make the necessary payments and draw bills on the Pay and Accounts Officer, Land Revenue and General Administration departments, Allahabad.
13	Dieting charges of criminal lunatics.	47.—Miscellaneous—Donation for Charitable purposes—Burial of paupers, District Officer.
14	Dieting charges of non-criminal lunatics ..	District Judge.
15(a)	Burial or cremation of dead bodies of pauper patients in hospital.	26.—Police—Travelling allowance or railway fares and carriage of police escorts.
15(b)	Burial or cremation of unclaimed bodies throughout the district.	
16	Charges on account of transporting intestate property between police stations and courts.	
17	Cost of fares of officers and men sent on duty by train.	

290. A book of cheques in form no. 11 shall be kept under lock and key at each police station. The Superintendent's office seal shall be impressed on each page, both original and duplicate, before a cheque book is issued to a police station. To recoup the permanent advance a separate cheque for each class of charges as detailed in the preceding paragraph except item 17 for instructions regarding which see paragraph 247, Office Manual, should be sent to headquarters by a police officer. On arriving at headquarters the police officer will take the cheque to the prosecuting inspector who, after checking it with the papers in the case, will endorse on it the date of the officer's arrival at headquarters, the amount to be paid, the name of the officer who is to receive payment and will sign the endorsement. He will also make an entry for the cheque in a register which he will maintain for that purpose. This register will be kept up by police stations and will show the number and date of every cheque, the date of its presentation, the purpose for which payment is demanded, the person to whom it is to be made, the amount to be paid, and the signature or seal of the bearer of the cheque. The cheque (unless it is for recoupment charges connected with intestate property) shall next be laid before the Superintendent of Police for orders of payment, and shall then be taken by the police officer who has brought it, to the accountant who will pay the amount from the permanent advance of the district making an entry in his contingent register and taking the payee's receipt in the ordinary way. The accountant may pay only to the police officer whose name is on the cheque, and that officer will take the money to the police station. In the case of prisoners, wounded persons, corpses, etc., sent to places other than headquarters, the police officer of the court to which they are sent, or if they are not sent to a court, the officer in charge of the police station at their destination shall record on the back of the cheque the date of receipt, the amount

due, the name of the police officer in charge and his own signature. He shall then send the cheque to the prosecuting inspector who will make an entry for it in his register and will pass it on to the Superintendent's office for recoupment and remittance to the despatching police station.

The procedure in the case of cheques relating to charges connected with intestate property will be the same as in the case of others except that instead of being laid before the Superintendent of Police they will, after endorsement by the prosecuting inspector and entry in his register, be presented for payment at the court of the District Judge.

291. On the 1st of each month each officer in charge of a station shall submit to the Superintendent a memorandum in form no. 198 of the cheques issued by him in the previous month. The Superintendent or an officer not below the rank of inspector shall check this memorandum with the prosecuting inspector's register.

This rule and those in paragraphs 289 and 290 apply to the Government Railway Police in so far as expenditure may be incurred under any of the heads mentioned in paragraph 289. The permanent advance will be recouped from or through the Superintendent of Police of the district within which the railway police station is situated, except in the case of particular railway police stations for which owing to their situation special orders are issued; the monthly memorandum prescribed above will be forwarded by the railway police station officer to the Superintendent of Police from or through whom recoupment is effected.

292. In the reserve lines accounts shall be kept in the same manner as prescribed above for police stations, the reserve inspector performing the duties of the officer in charge of a station. He will hold a permanent advance to meet the expenses of the kinds enumerated in paragraph 289 and will discharge the duties assigned to the station officer in paragraph 290 and 291. He will keep the book of cheques (police form nos. 304 and 320) under lock and key and will recoup his permanent advance by means of cheques which he will send to the prosecuting inspector for check and endorsement. Payment will be made exactly as laid down in paragraph 290. The monthly memorandum in form 198 prescribed in paragraph 291 must be submitted to the Superintendent by the Reserve Inspector.

CHAPTER XXIII.

INDIAN STATES.

293. As a general rule if a criminal crosses the frontier of an Indian State, the police may not follow him, but should at once return and report the circumstances through the Superintendent to the District Magistrate, who will take the necessary action. They may, however, inform the police of the State of the facts of the case, and suggest that the offender be arrested and detained in custody pending a formal application for his delivery to the British authorities.

294. There are two exceptions to this rule—

- (a) The police when in hot pursuit of a fugitive who has committed a serious offence in British territory may follow and arrest him in an Indian State;
- (b) the police may arrest an offender in an Indian State if the District Magistrate has previously referred to the authorities of the State, and obtained their permission for such action with reference to classes of cases or particular offenders.

295. Whenever a police officer of British India arrests a person in an Indian State, he should immediately inform the nearest authority of the State, and must make over the prisoner to the police of the State for custody.

N. B.—The orders in the two preceding paragraphs do not apply to arrests in Nepal which cannot be made by the police of British territories.

296. When the co-operation of Indian Darbars and Political Agencies is desired on the occurrence of serious cases of dacoity or similar crimes on the borders of British territory, an official communication to that effect should be addressed through the District Magistrate to the headquarters of the Agencies concerned, concurrently with any separate communication which it may be deemed necessary to send, officially or demi-officially, to the local Political Agents. The headquarters of the Agencies should also be kept fully informed through the District Magistrate of all proceedings which officers serving under the Government of the United Provinces may, in concurrence with the local Political Agents, subsequently carry out in connexion with occurrences of the kind described.

297. The procedure to be followed in obtaining delivery of offenders from Indian States is prescribed in the Manual of Government Orders, under the head "Extradition."

298. Distinction is made in Nepal between respectable men and men of bad character, for purposes of house-search. The house of a man classed as respectable cannot be searched for stolen property, unless the complainant enters into a bond to forfeit a sum of money if the search prove fruitless; the houses of men of bad character, especially if they have ever been convicted of theft or dacoity, are searched at once on receipt of a complaint. It is advisable, therefore, if search for stolen property in the house of a resident of Nepal is desired, to name the person to the Nepalese official in order that he may judge whether the man is of bad character and whether the search without execution of a bond is justified under Nepalese law.

299. The police of the districts bordering on Nepalese territory are required to report to the Nepalese authorities immediately on the occurrence of the offence—

- (1) The descriptions and believed location of cattle (a) stolen from British territory and believed to have crossed the border into Nepal, and (b) believed to have been stolen from Nepal, and found in British territory;
- (2) cases of cattle-lifting and burglary which occur in British territory within five miles of the Nepalese border.

The Nepalese authorities will, *mutatis mutandis*, take similar action.

300. When cattle are seized by the authorities in India or Nepal on suspicion of being stolen and the owner is not known, information should be sent at once to the nearest police station across the border. If the cattle are not claimed within 35 days, they may be sold by auction and the proceeds kept in deposit for six months (in Nepal such money will be credited to the Durbar after six months, and will not be refunded thereafter) for payment to the owner, subject to a deduction of 1 anna a day per animal for feed and keep. If the cattle are claimed within the period of 35 days by a subject of the other administration or if cattle alleged to be stolen are seized at the request of a public official of the administration from which they are said to have been stolen, they shall be made over to the police of such administration to be placed in the pound, or in charge of the owner or of a village headman or other person, on a bond or other security to produce them in court within six months, if required; provided that the investigating officer may refuse to make over the cattle, for reasons to be reported by him at once to the magistrate to whom he is subordinate. The expenses incurred in feeding and keeping such cattle up to the time of their being made over to the police will, in accordance with the existing custom, and as a matter of friendly reciprocity, be borne by the administration in which the animals were found.

301. When a resident of an Indian State is convicted of an offence of a kind which would require entry in the village crime note-book, if he were a resident of the United Provinces, the authorities of the State should be informed through the Political Agent by means of form no. 148.

302. The Superintendent may not correspond with Residents or Political Agents direct; he must correspond through the District Magistrate.

For the subjects on which Superintendents may correspond direct with certain officials of certain States see the "Statement of reciprocal arrangements in force in Central India as regards extradition, service of processes and police matters, revised up to July 1, 1923," of which extracts referring to the United Provinces were published in the *Police Gazette* notification no. 610/VI—127-1923, dated November 22, 1923. Otherwise than as provided by this statement read with any amendments that may subsequently be issued to it, Superintendents of Police may not correspond with officers of Indian States except in emergency; in which case copies of any communications addressed to them must be sent to the Political Agent for information. All correspondence between Superintendents and Indian States must be conducted in English.

303. The following forms and no others may be sent to Indian States: 148, 155, 204, 205, 214, 228 and 286. Letters should take the place of forms of other kinds.

304. Officers in charge of police stations should communicate demi-officially with the police of neighbouring Indian States in order to co-operate with them in the prevention and detection of crime, arrest of offenders, etc. Station officers in British territory may exchange forms nos. 204, 205, and 286 with station officers of the Gwalior State.

305. The police of Indian States may not make arrests in British territory ; but if they request the police of the United Provinces to make an arrest in a case covered by section 54(1), VII of the Code of Criminal Procedure the arrest should be made and the person arrested sent to the District Magistrate for orders.

CHAPTER XXIV.

REPORTING AND REGISTRATION OF BIRTHS AND DEATHS.

306. These rules are framed for the guidance of only those circle registration officers who are also police officers. The police have no concern with the reporting and registration of births and deaths within municipal limits or in town areas administered under the Town Areas Act, 1914 or in notified areas other than those specifically excepted by Government.

I.—The unit of area or circle for registration of births and deaths shall, except in cantonments, be the area in the jurisdiction of a police station.

Rural circles with a population of over 15,000 have been divided into sub-circles distinguished by numbers. Station officers are supplied by the Civil Surgeon with lists of sub-circles showing the names and population of all villages in each sub-circle.

II.—The police station shall be a registration office for the circle.

III.—The head constable writer of the police station shall ordinarily be circle registration officer.

IV.—In rural circles village policemen shall be reporters of births and deaths to the circle registration officer. In notified areas and cantonments reports shall be made by constables or any other agency that may be prescribed by the Government.

V.—Reports shall be made to the circle registration officer, if possible, on every day on which a birth or death takes place; provided that in rural circles village chaukidars will report births and deaths only twice a month on fixed dates, one of which will be the date on which they receive their pay. All births and deaths will be entered as they occur, in the chaukidar's pocket register (sanitary form no. 9) by the patwari or other literate village official. The circle registration officer shall question the village chaukidar at the time of the latter's visit to the police station as to any births and deaths which have occurred in the village since his last visit and having satisfied himself by reference to the village chaukidar's pocket register that all such occurrences have been duly entered in it and that none of them have been reported before, shall record them in the registers prescribed by the following rules.

The circle registration officer shall also be responsible for the correction of any faulty entry found in the village chaukidar's pocket register.

VI.—Separate registers of births and deaths shall be kept by the circle registration officer in sanitary forms nos. 5 and 1 for each sub-circle. Still births will be registered in sanitary form no. 5 in the same way as ordinary births, except that the entries concerning them will be

made in red ink. These registers must be kept *mauzawar* and not *tarikhwar*. It is open to the circle registration officer to keep a daily abstract for the purpose of his monthly returns.

VII.--The Civil Surgeon or civil medical officer for the time being, shall ordinarily be district mortuary and birth registrar.

VIII.--The circle registration officer shall despatch, so as to reach the office of the Superintendent of Police on the first of every month, a copy of the daily totals for the preceding month extracted from registers nos. 5 and 1; births, still-births and deaths will be shown in sanitary forms nos. 6, 6(a) and 2, respectively. In these extracts totals shall be given for each sub-circle separately.

IX.--These monthly returns will be forwarded by the Superintendent of Police in original by the 3rd of the month to the district registrar. The Superintendent of Police receives these returns from police stations in order to save postage, but his office will have no responsibility for checking the correctness of the statements submitted and all objections from the district registrar in this connection will be sent by him direct to police stations.

X.--Forms relating to births and deaths will be distributed by the district registrar through the Superintendent of Police.

XI.--The circle registration officer shall submit to the Civil Surgeon through the Superintendent of Police a report in form no. 210 of all deaths from cholera in his mortuary circle on the day they are reported to him besides including them in his monthly returns. Where constables are the reporting agency they shall report daily at the police station all deaths from cholera occurring in their beats. Village chaukidars shall report the first death resulting from an outbreak of cholera in their villages immediately it occurs but subsequent deaths will be reported along with other occurrences. Whenever a death from cholera is reported it must be stated whether the deceased was a local resident or a visitor and these particulars must be shown in the "Remarks" column of form no. 210. Reports in form no. 210 will be forwarded by the Superintendent of Police to the Civil Surgeon as they are received and will not be consolidated or translated in the police office.

XII.--Chaukidars whose reports of births and deaths are found fairly accurate should be rewarded.

XIII.--Every village chaukidar and beat constable whose duty it is to report births and deaths will be provided with a pocket register in sanitary form no. 9. The circle registration officer will enter in this register all occurrences which he finds have not already been entered by the constable, chaukidar or other literate official as laid down in rule V.

306A. Extracts from the births and deaths registers maintained at police stations should be supplied to the public on payment of Re. 1 in court-fee stamps for each extract. The head constable who prepares the extract should be paid a fee of annas 4 per extract from head "Allowances and Honoraria" under "26—Police—District Executive Force" as the work of tracing and extracting the entries is outside the scope of his duties.

Amendment no. 16/VI—23-29, dated May 16, 1930, to paragraph 306 of the Police Regulations, United Provinces.

Paragraph 306 (I), Police Regulations.

The second sub-paragraph of paragraph 306 (I), Police Regulations, beginning "Rural circles" and ending "sub-circle" should be cut out.

G. O. no. 2002/VIII—223, dated May 9, 1930, Police department.

Paragraph 306 (V), Police Regulations.

At the end of the first sub-paragraph after the words "following rules" add the following sentence:—

"Entries of births and deaths made by the Circle Registration Officer must be according to dates of occurrence and not according to the date of the chaukidar's attendance at the police station."

Paragraph 306 (VI), Police Regulations.

The first sentence of paragraph 306 (VI) should be deleted and the following substituted:—

"Registers of births and deaths shall be kept by the Circle Registration Officer in Sanitary forms nos. 5 and 1."

Paragraph 306 (VII), Police Regulations.

Paragraph 306 (VII) should be deleted and the following substituted:—

"The District Medical Officer of Health for the time being shall be in charge of the registration of vital statistics for the district."

"*NOTE.—Where there is no District Medical Officer of Health the Civil Surgeon will perform this duty.*"

Paragraph 306 (VIII), Police Regulations.

Paragraph 306 (VIII) should be cancelled and the following substituted:—

"The Circle Registration Officer shall despatch, so as to reach the office of the Superintendent of Police on the 15th of every month, a copy of the daily totals for the preceding month extracted from registers nos. 5 and 1; births, still-births and deaths will be shown in Sanitary forms nos. 6, 6 (a) and 2 respectively.

When for any reason reports of births and deaths are received at the police station too late for inclusion with the month's totals to which they belong, they should be reported separately on Public Health forms nos. 6, 6(a) and 2, as the case may be, attached as an appendix to the next month's returns."

Paragraph 306 (IX), Police Regulations.

The first sentence of paragraph 306 (IX), Police Regulations will be changed to—

"These monthly returns will be forwarded by the Superintendent of Police in original by the 20th of the month to the District Medical Officer of Health or Civil Surgeon in districts where there is no District Medical Officer of Health," and the words "District Registrar" in the last sentence of that sub-paragraph be changed to "District Medical Officer of Health or Civil Surgeon in districts where there is no District Medical Officer of Health".

Paragraph 306 (X), Police Regulations.

The expression "District Registrar" be changed to "District Medical Officer of Health or Civil Surgeon in districts where there is no District Medical Officer of Health".

Paragraph 306 (XI), Police Regulations.

Paragraph 306 (XI) should be cancelled and the following substituted :—

- (1) Where constables are the reporting agency, they shall report daily at the police station all seizures from cholera, small-pox and plague occurring in their beats. Village chaukidars shall report to their respective thanas primary outbreaks of cholera, plague and small-pox immediately they occur with details of the number of persons who have been attacked or have died, and stating whether such persons were local residents or visitors. Subsequent deaths resulting from these diseases should be reported by village chaukidars on their usual fortnightly attendance at police stations.
- (2) The Circle Registration Officer, or whoever is in charge of the thana at the time of the receipt of such reports, shall immediately forward separately to the District Medical Officer of Health and the District Magistrate, through the Superintendent of Police,* reports of the outbreak of the disease or diseases in form no. 210. The report should show seizures and deaths separately and should indicate in the remarks column whether the persons affected were local residents or visitors. If more than one disease is reported, all the diseases should be shown together in the same form, the figures for each disease being shown separately under its appropriate heading.
- (3) Reports in form no. 210 received by the Superintendent of Police will not be consolidated or translated in the Police office, but must be forwarded without any delay to the District Medical Officer of Health and the District Magistrate. Instances of delay in the submission of these reports from the thana should be brought to the notice of the Superintendent of Police by the District Medical Officer of Health for disciplinary action, if necessary.
- (4) A reward of 8 annas will be paid to village chaukidars by the District Medical Officer of Health for reporting the first case of cholera or small-pox occurring in a village after a considerable lapse of time, provided the report is received at the headquarters of the district within 48 hours.

The amount of the reward payable will be sent by the District Medical Officer of Health after reports have been verified by that officer to the officer in charge of the police station through the Superintendent of Police. The station officer will disburse the rewards to the chaukidars concerned on their next visit to the thana and will forward to the District Medical Officer of Health through the Superintendent of Police the necessary receipts after payments have been made.

NOTE.—1. The expression "primary outbreaks" in paragraph 1 should be taken as meaning the first case of cholera, small-pox or plague which has occurred in the village since a considerable lapse of time. Once an outbreak has been reported subsequent deaths only need be reported by chaukidars on their usual fortnightly attendance at police stations.

G. A. ANDERSON,

*Asst. to Inspector-General of Police,
United Provinces.*

* Except in Garhwal and Almora where reports should be sent direct to the Deputy Commissioner and the Civil Surgeon.

In the case of (2) he shall also at the same time report to the District Magistrate the following particulars in so far as they can be ascertained by the police :—

- (a) The amount and nature of the assets left by the deceased;
- (b) whether or not the deceased left a will and if so in whose custody it is;
- (c) the names and addresses of the surviving next-of-kin of the deceased.

In cases where the police are not the registering agency the District Magistrate may call upon the Superintendent of Police to make an enquiry for the purpose of ascertaining particulars under (a), (b) and c) above. The Administrator-General's Act applies to all persons other than Indian Christians, Hindus, Muhammadans, Parsis, Budhists, and persons exempted by notification in the *Gazette of India* from the operations of the Indian Succession Act of 1865, under section 332 of that Act.

CHAPTER XXV.

DIRECTION FOR THE GUIDANCE OF POLICE OFFICERS IN TIME OF FAMINE.

311. When the Collector opens test works and poor-houses at the beginning of a famine, he will send to every police station in the affected tracts a sum of money as a famine imprest for the relief of wanderers in distress. The officer in charge of the station will direct the chaukidars of his circle to direct or conduct all starving wanderers whom they meet to the nearest place of relief (poor-house, relief work, or police station, as the case may be). A system of patrols by beat constables should also be organized to search for starving wanderers in likely places, such as trunk and district roads, temporary rest-houses and sarais and the lanes and byways of towns and villages, and to send them to the nearest place of relief. No compulsion should be exercised by constables or chaukidars. If the wanderer refuses to go to a place of relief he must be left alone. If he is too weak to walk, he should be assisted or carried; the cost of conveyance and of food on the way may be paid out of the famine imprest, and may be incurred in urgent cases by any constable or chaukidar without reference to the officer in charge of the police station.

312. When a wanderer in distress comes or is brought to a police station he should be fed, if in need of food, and directed or conducted to the nearest poor-house or relief work. If he refuses to go to a place of relief though able to walk, he should not be fed as wanderers must not be encouraged to travel about, getting their food from police stations and avoiding poor-houses. If the person is fit for work he should go to a relief work; if he is too weak, he should go to a poor-house. The cost of conveyance to a poor-house may be paid out of the imprest if the wanderer is too feeble to walk. The food given at the police station should be such as the officer in charge considers suitable to the condition of the wanderer. Weak persons should receive something that is easily digested. Persons who are well enough to look after themselves may be given food or money to purchase food as seems best. The cost of food or cash payment in lieu thereof will not exceed the dependent's allowance prescribed in paragraph 128(a) of the revised Famine Code, United Provinces, 1912.

313. Every officer in charge of a police station should send to the Superintendent a weekly abstract in form no. E. VI. Copies of this form printed on orange paper will be obtained from the Government Press by Superintendents of Police, who will distribute them to stations.

Any expenditure incurred on cost of conveyance should be shown separately. This statement must be despatched in time to reach headquarters on Sunday. The Superintendent will submit an account to the Collector in the same form so as to reach him on Monday morning, and will make remittances to police stations to recoup the imprest. If the imprest is exhausted before the arrival of the remittance the officer in charge should immediately report the fact, and in anticipation of a remittance should spend money from any other sum under his control. With the abstract in form no. E. VI the officer in charge of the station should send a list showing the names and residences of all men, women and children relieved and the sum spent on each. If nobody has been relieved a report should be sent that the abstract is blank.

314. If the Collector sees fit police may be employed in guarding treasure chests on relief works or in keeping order there, but will not, as a rule, be employed in the latter way. Police must not be used as patrols to enforce conveyance arrangements.

315. If money is received from the Collector or under his orders for distribution to persons entrusted with village relief it should be kept for the recipients and disbursed to them as soon as they arrive. If money is sent in this way, instructions as to the receipts to be taken and the accounts to be kept will be issued.

316. Unclaimed bodies should be burnt or buried by the police according to the religion of the deceased. The expenditure will be met from the permanent advance of the station granted for the transport of wounded and accused persons, etc., and not from the famine imprest.

317. If famine relief seriously increases the duties of the police at any station the officer in charge may apply to the Superintendent for an increase of staff.

318. When relief operations have been closed the officer in charge of the station will refund the balance of the famine imprest by paying it into a sub-treasury or to the Superintendent of Police.

319. Periodical reports should be submitted from police stations to the Superintendent on the dates prescribed by him concerning—

- (1) Any increase in crime attributable to a general rise in prices or scarcity of food;
- (2) any wandering of needy, starving persons;
- (3) any emigration from or immigration to the police circle;
- (4) any unusual increase of mortality;
- (5) any cases of starvation or severe want;
- (6) any decline in the above symptoms of scarcity.

The Superintendent of Police will submit similar reports for the whole area under his charge periodically to the District Magistrate.

320. The officer in charge of a police station should report any important fact connected with famine administration or the growth or decline of distress which he thinks that the district authorities ought to know and do not know. He should also assist the officers in charge of famine relief by spreading information in his circle as to the site of relief works and poor-houses, by encouraging the people and preventing scares, and by explaining and justifying the principles on which relief is being administered.

CHAPTER XXVI.

DUTIES UNDER SPECIAL ACTS AND RULES.

321. There should be in the office of the Superintendent of Police and at each police station a list of the Acts or portions of Acts which concern the police and extend to the whole or part of the district or station, but are not in force throughout the province.

The boundaries of the place to which any Act or portion of an Act extends should be stated in the list, if the Act or portion of the Act does not apply to the whole of the district or station.

322. When a European deserter from the Army, Navy, Air Force or Indian Marine Service is arrested he must be taken before a Justice of the Peace, who should be asked to prepare and sign the descriptive return in the form laid down in the fourth schedule of the Army Act, as required by section 163(i) thereof. The descriptive return should be sent to the Officer Commanding the military district or station in which the court is situated. An Indian deserter must be taken before a first-class magistrate.

If the corps from which the man is believed to have deserted be quartered at the place of capture, or in the immediate vicinity of it, he shall be sent by the magistrate direct to that corps. If the corps be quartered at a distance he shall be made over to the nearest Officer Commanding a Station.

323. When a person subject to military law deserts the Officer Commanding the corps to which he belongs will immediately inform the local and railway police. On receipt of such information the Superintendent should take such action as may be expedient.

324. A reward not exceeding Rs. 30 will be sanctioned by the General Officer Commanding the military district for the apprehension of a European deserter (including an attested medical subordinate) and a reward of Rs. 5 for the apprehension of a deserter who is a combatant (including a reservist) of the Indian Army, a transport attendant, or a man of the Indian Hospital Corps, other than an individual who voluntarily surrenders himself (see Pay and Allowance Regulations of the Army in India, 1923 edition, part II, paragraph 183).

If a deserter is apprehended as a result of information given by a third party one-half of the sanctioned reward shall be paid to the individual who furnished the information.

325. When a deserter is apprehended by the police the Superintendent of Police should notify his Commanding Officer of his apprehension, and at the same time furnish the Commanding Officer with the name and address in full of the actual person to whom the reward is payable. As soon as the deserter reaches his unit in charge of the escort the Commanding Officer will, in accordance with Army-Instruction (India) no. 719, dated September 20, 1921, at once remit the reward by money-order direct to the person entitled to it, whose money-order acknowledgement will be accepted by the Audit authorities as sufficient voucher for the amount paid as a reward and for the money-order fee.

The police officer or man to whom the reward is due should inform the office of the Superintendent of Police when he receives the amount of the reward in order that when delay takes place in payment the necessary reference may be made to the Officer Commanding the unit concerned.

326. When, after a deserter has been arrested by the police and made over to the military authorities, a form of certificate under section 91-A6 of the Indian Army Act of 1911 is sent to the police for completion, it must be completed and signed by an officer not below the rank of an officer in charge of a police station. If it is signed by an officer of lower rank it will be wholly invalid in evidence at the court-martial which tries the deserter.

327. Deserters from the forces, or from any unit of the forces, of an Indian State should not be surrendered to the Durbar, unless desertion from the forces of such State or from the particular unit concerned has been specified by notification in the *Gazette of India* as an extraditable offence under the first schedule of the Indian Extradition Act (XV of 1903). Unextraditable deserters if enlisted in the police should be dismissed unless their retention in the force is sanctioned by the Deputy Inspector-General of Police.

328. The rules regarding emigration beyond the limits of British India are contained in the Manual of Government Orders.

329. The rules under the Indian Factories Act (XII of 1911) will be found in the Manual of Government Orders. Under these rules notice of an accident resulting in death must be sent by the factory authorities by telegraph, telephone, or special messenger, to the officer in charge of the police station of the area in which the factory is situated, within one hour of the death occurring on the premises or being known to have occurred elsewhere, as the case may be. If the notice is sent by telegraph or telephone it must be confirmed by a written report in the prescribed form E. On receiving such notice the station officer should act as laid down in Chapter XI of these Regulations. Notices of accidents not resulting in death need not be sent to the police. If such notice is received no action should be taken by the police without a magistrate's order unless there is reason to suspect that a cognizable offence has been committed. In such cases the report should be forwarded through the Superintendent of Police to the magistrate.

330. The Commissioner of the division is the authority empowered to make rules under the Ferries Act (XVII of 1878). The Superintendent should study the rules, and bring to the notice of officers in charge of police stations the provisions requiring attention on the part of the police. A sufficient body of police should always be stationed at ferries throughout the period during which large crowds may be expected to pass over them on the occasions of fairs, in order to prevent overcrowding of boats.

331. The rules made under the Fisheries Act (IV of 1897) are contained in the Manual of Government Orders.

332. The Superintendent of Police should bring to the notice of officers in charge of stations any local forest rules requiring their attention.

333. Under section 5 of the Public Gambling Act (III of 1867) the Local Government has authorized inspectors and all officers in charge of police stations not below the rank of sub-inspector to execute warrants issued under that section.

334. Permission to play games in public should never be granted (see Manual of Government Orders).

No encouragement to hold lotteries should be given and all applications for permission to hold lotteries should be refused (see Manual of Government Orders).

335. The Glanders and Farcy Act (XIII of 1899) has been applied to the whole of the United Provinces. Superintendents of Police have been empowered under section 4 of the Act to exercise and perform within their districts the powers conferred and the duties imposed by the Act on inspectors appointed under the Act (see Manual of Government Orders).

336. Under section 317 of the United Provinces Municipalities Act of 1916 the police are required to give information to municipal boards of any offences coming to their knowledge which have been committed against the Act or against any of the Acts referred to in clause (b) of sub-section (1) of section 114 of the Act or against any rule made under any of the said Acts, and are also bound to assist all members, officers, and servants of boards in the exercise of their lawful authority. Superintendents of Police should see that all police stations having jurisdiction within municipal limits are supplied with copies of all Acts and rules with reference to which the police have duties under this section.

The information which the police are required to furnish under section 317 is to enable municipalities to take action for the realization of fines under section 114 and the fact that the police are required to furnish this information does not imply that any action which they are legally empowered to take independently under any of the Acts in question should be taken through the municipal authorities.

337. The register of persons resorting to a sarai prescribed by section 8 of the Sarai-Act (XXII of 1867) need be prepared only if the District Magistrate directs. If such a register is ordered to be maintained a book of blank forms (no. 265) must be furnished to the sarai-keeper by the Superintendent.

338. The rules about stage carriages are contained in the Manual of Government Orders.

339. The rules regarding treasure trove are contained in the Manual of Government Orders.

340. According to rules contained in the Manual of Government Orders, Superintendents of Police are required to give immediate information to the District Magistrate of any case of a serious nature in which soldiers are believed to have been concerned. Such cases must be specially reported under paragraph 90 of these Regulations and paragraph 77 of the Office Manual. For the orders regarding the prosecution, trial, and investigation of cases in which soldiers are concerned, see the Manual of Government Orders and paragraph 114 of these Regulations. The procedure prescribed in the Manual of Government Orders should be followed in so far as its application is possible in all cases in which conflicts between Europeans and Indians occur or in which Indians are shot or wounded by Europeans.

341. The rules prescribing the duties of police at fairs are contained in the Manual of Government Orders.

342. The police have no authority to make formal inspections of cattle pounds, though they may visit them for purely police purposes.

343. A record of all the Great Trigonometrical Survey stations in districts shall be kept in the office of the Superintendent of Police. Village policemen are bound to prevent wilful injury to the stations; they must report any damage to the officer in charge of the police station.

A police officer should visit the stations periodically to examine their condition, and report any urgent need of repairs. See also Manual of Government Orders.

344. For the duties of village police in protecting ancient structures and preventing unauthorized excavations, see the Manual of Government Orders. The village police are responsible for reporting any attempt at spoliation or the occurrence of anything which is likely to endanger the stability of antiquarian remains above ground and for giving information of any attempt to make unauthorized excavations on the sites of ruined cities or buildings. Valuable archaeological remains should be promptly dealt with under the Treasure Trove Act (VI of 1878) whenever applicable.

345. The rules regarding the action to be taken on the escape of prisoners from districts or central jails are contained in the United Provinces Jail Manual.

Whenever a prisoner escapes from jail the Superintendent of the jail must give immediate notice to the District Magistrate and send descriptive rolls of the prisoner, with all information available including the prisoner's place of residence and the reward offered for his re-apprehension, to the following authorities :—The Superintendent of Police of the district in which the escape occurs; the Superintendent of Police of the district in which the prisoner's home is situated ; the police authorities of district adjoining the above and the Railway Police. He must also at once forward a descriptive roll of the prisoner to the Deputy Inspector-General of Police, Criminal Investigation department, Allahabad, for publication in the *Criminal Intelligence Gazette* with information of the reward. All these authorities are again informed by him if the prisoner is recaptured.

It is of the greatest importance that the police should immediately watch the prisoner's home to intercept him on his way to see his family.

According to the Jail Manual the District Magistrate is required to make an investigation into the circumstances of every escape immediately on receiving information of it, but no investigation inside the jail may be made by the police except under the orders of the District Magistrate. District Magistrates are required to allow Superintendents to see the papers of magisterial inquiries made under this paragraph as these inquiries progress. Superintendents should ask to see these papers and should examine them or have them examined by a gazetted officer with a view to ascertaining immediately any particulars which may be of assistance to the police in effecting re-arrest.

346. The duties of the police in respect of excise offences are referred to in the United Provinces Excise Act (IV of 1910), and in the rules contained in the Excise Manual, volume I. Their powers of inspection, arrest and search, etc., will be found in sections 49, 50, 53 and 54 of the United Provinces Excise Act as amended (see page 2 of Supplement to Excise Manual).

347. In regard to opium and morphia offences the powers and duties of the police are referred to in sections 23 and 24 of the Opium Act (XIII of 1857) and sections 14 to 22, of the Opium Act (I of 1878) to be found in the Excise Opium Manual and in Chapter III of that Manual.

348. The appointment of excise inspectors has not relieved the police of the duties of detection and prosecution of excise offences. Excise inspectors and police officers are both responsible for the execution of these duties. The former are required not only to make their own inquiries and detect cases themselves, but also to assist and co-operate with the police in cases detected by the police. The police are required to assist excise inspectors in important and difficult cases and in making searches when assistance is asked for.

349. As a rule, the offence of illicit distillation of spirit is not one which can be carried on for any length of time without coming to the notice of village headmen, landholders and chaukidars. In all cases of illicit manufacture of spirit in which the chaukidar within whose beat the illicit still or implements have been found, is not himself the informer, an inquiry should be made into the conduct of the chaukidar by the Superintendent of Police, and, if there is any reason to believe him guilty of connivance, his dismissal should be recommended to the District Magistrate. If he is found guilty of negligence, he should be severely punished.

350. A village headman who fails to give notice of the illicit manufacture of any excisable article or of the illicit cultivation of plants producing intoxicating drugs immediately such illicit manufacture or cultivation has come to his notice should be promptly reported to the District Magistrate for prosecution under section 68 of the Excise Act.

351. The appointment of special police officers is regulated by sections 17 to 19, of the Police Act (V of 1861). Such appointments should, as far as possible, be made by voluntary and not compulsory enrolment to meet cases of grave and sudden emergency, and should be cancelled as soon as the emergency ceases to exist. It is justifiable to apply for the appointment of special police officers when an unlawful assembly, serious riot or breach of the peace has taken place or may reasonably be apprehended, and the senior police officer present (not being below the rank of inspector) considers that the police force ordinarily employed for preserving peace and order is not sufficient for its preservation or for the protection of the life and property of the inhabitants of the locality.

Special care should be taken in selecting the persons to be appointed. Influential persons of superior social standing who would be likely to be of real assistance in preserving or restoring order should be chosen in preference to men of unruly temperament or reputed bad character, and care should be taken to guard against all appearance of making selections with a view to humiliate the persons appointed. In times of such excitement it might occasionally be advisable, however, to enrol the ringleaders of contentious factions in order to bring them under the restraint which their appointment as special police officers would involve. Every effort should be made to prevent avoidable inconvenience or hardship to special police officers. The law requires that they should do their duty in preserving peace and order and in protecting the persons and property of law-abiding inhabitants of the locality, but they should not be required to do more than is necessary to enable them to perform these duties efficiently. Persons so appointed should be employed in the manner best suited to enable them to exercise their personal influence and, in no circumstances, should menial or unreasonable duties be assigned to them. They should, as a rule, be employed on staff and supervising duties and given relatively higher rank than others of lower status similarly enrolled.

The requirements in respect of discipline should usually be light. Any conditions of the office which might be regarded by local residents as offensive and unnecessarily irksome should not be insisted on. Special police officers should not ordinarily be required to take part in parades or to salute petty officers, and their attendance at police stations, when necessary, should be so regulated as to avoid causing hardship. As regards uniform, all that is required is that special police officers should wear some distinctive badge, e.g. a coloured armlet, and should be provided with a baton or spear as a token of authority and for protection in case of need.

CHAPTER XXVII.

MISCELLANEOUS.

352. No private sweepers may be employed by the Police Department for police lines or stations the scavenging of which has been undertaken by a municipality under section 193 (a) of the United Provinces Municipalities Act of 1916. Where conservancy arrangements are under the control of the Superintendent of Police, private sweepers may be employed or conservancy allowance given in accordance with paragraph 158 of the Office Manual.

353. For the restrictions imposed on Government servants in their private affairs see the Government Servants' Conduct Rules and Manual of Government Orders.

354. Police officers may have no private money transactions with police accountants, nor may members of the subordinate police force or clerical staff be employed to maintain the private accounts of gazetted officers. There is, however, no objection to readers of gazetted officers being given small advances to meet casual expenses, e.g., for wood-cutting, tent pitching and clearing camping grounds or to small sums being left with head clerks and accountants to meet, e.g., the cost of expected value-payable parcels. For the conditions under which officers may bank with the Government Treasurer, see the Manual of Government Orders.

It is incumbent on every police officer enrolled under section 7 of the Police Act to give immediate information to the Superintendent of Police under whom he is serving of the fact that his father, mother, father's or mother's sister or brother, brother, brother's wife, sister, sister's husband, son, son's wife, daughter or daughter's husband, has taken up trade or employment other than Government service within the limits of his jurisdiction. On receiving such information it will be for the Superintendent of Police to consider whether the circumstances justify the transfer of the officer concerned. The general principle should be that police officers should not ordinarily be employed in jurisdictions in which relatives of the degree noted above carry on private trade. The extent to which the Superintendent of Police enforces this principle in particular cases will, of course, depend on the position in the circle which the officer occupies and on the general circumstances. These orders do not, of course, in any way modify the application of rule 15 of the Government Servants' Conduct Rules.

355. Police officers of all grades are strictly prohibited from aiding in the supply of labour, carriage or provisions for any purpose whatsoever and from interfering under any pretext whatsoever, with the persons or property of any class of the population, otherwise than as required by law.

356. For the procedure to be followed in respect to the defalcation or loss of public money or other property in the police, see the Manual of Government Orders as modified by paragraph 82 of the Account Rules in Part 1 of the Financial Handbook, volume V.

357. A Superintendent of Police when sending police officers as detectives outside his district shall invariably provide them with written credentials to be shown on requisition by proper authority.

Parwanas may not be given to informers or amateur detectives not enrolled in the police force.

358. The police should make enquiry; regarding the character and antecedents of candidates for subordinate posts in the Railway, Postal or other Government departments when asked to do so by the authorities concerned and should complete the verification rolls sent them for that purpose.

359. Post office treasure chests (of iron) may be fixed at police stations and remain in the charge of the sentry. The keys of such chests shall be kept by the postal officials.

360. Motor lorries and light vans maintained at district police headquarters are intended chiefly for the purpose of transporting parties of police officers and men in connexion with the suppression or prevention of riots, raids on dacoits, and other criminals, escorting important convicts or under-trial prisoners, bringing in dacoits for identification or for use in any circumstances where rapid transport is of importance. They should not be used for ordinary transport when the railway or other cheaper means of conveyance is available.

361. All gazetted officers shall provide themselves with at least one horse not less than 14-2 hands high and all circle inspectors and sub-inspectors who receive a horse allowance shall provide themselves with suitable horses not less than 14 hands high.

Hospitals.

362. The hospital establishment is under the control of the Medical department and the Superintendent of Police has no powers in connexion with the appointment, leave, promotion, punishment and dismissal of the hospital staff. He may, however, make representations in these matters to the Civil Surgeon or through the Inspector-General of Police to the Inspector-General of Civil Hospitals.

The pay of the establishment, except that of the medical officer in charge, is drawn and disbursed through the police accountant.

The allotment under head European medicines (and other hospital requisites) in the police budget is at the disposal of the Inspector-General of Civil Hospitals who distributes it among Civil Surgeons. The cost of quinine purchased for distribution to the police posted to the reserve lines, police stations and outposts is debitible to this head. Bills debitible to this head should be sent to the Civil Surgeon for payment.

The Superintendent of Police must purchase out of the separate contract head any bazar medicines required by the Civil Surgeon.

While under treatment no police officer may leave hospital on any pretext except by express permission of the Civil Surgeon or officer in medical charge of the police. Absence from hospital without leave should be dealt with as a breach of discipline. Forms nos. 73, 74, 77, 82 and 302 should be used for patients under treatment.

Of the two hospital orderlies allotted to each hospital one should be a Brahman and the other a Muhammadan. These orderlies are responsible for seeing that no diet other than that prescribed is allowed to reach their charges. The hospital should be visited daily by the reserve inspector or by a gazetted officer and any case of neglect or disobedience on the part of the hospital orderlies should be reported to the Civil Surgeon by the Superintendent of Police.

A hospital admittance register must be maintained in three sections, each numbered serially for—

- (1) All armed police, with a sub-section for mounted police;
- (2) All civil police of the district treated at the headquarters police hospital;

(3) Government railway police, men of other districts, orderly peons, and any others not included in (1) and (2).

The place of posting must invariably be given in the column for "Caste."

363. It is incumbent on all applicants for medical leave or extension of leave on medical certificate to apprise the Superintendent of Police in writing of their intention to apply for a medical certificate. Any failure to do so may result in a decision that the medical certificate has been obtained by misrepresentation, and may thereby entail serious consequences.

364. Head constables and constables who fall ill when on duty or who are ill when due to return to duty must apply for admission to the district police hospital, or for treatment at the nearest dispensary, if the police hospital is out of easy reach, and the fact of their admission or treatment must be reported to the local Superintendent of Police, who, unless they are his own subordinates, will take immediate steps to communicate the fact to the Superintendent of Police whose subordinates they are. Officers of higher rank are not compelled to apply for admission to police hospitals, but are not relieved of the responsibility, while on leave, of intimating their intention of obtaining medical certificates to the Superintendent of Police as prescribed above.

365. Any head constable or constable who on discharge from a police hospital other than that of his district of posting is recommended leave by the Civil Surgeon must return to his district of posting immediately pending orders on his leave application, unless he is excused from doing so by the Superintendent of Police of the district in which he is. Permission not to return should, as a rule, not be given, except in very special circumstances.

365A. Every officer in charge of a police station, every guard commander and every head constable or naik in charge of an outpost, barrack, escort or other detachment is responsible for reporting cases of sickness among men under his command and for securing their admission to hospital. Action under Chapter XXXI of these Regulations should be taken against any officer found to have been negligent in this respect. For the purpose of proving such negligence it will be necessary to show that the officer concerned knew, or by the exercise of reasonable vigilance could have ascertained, that a man subordinate to him was ill.

365B. Every head constable, naik or constable suffering from venereal disease must report the fact to his immediate superior, who will take steps for his prompt admission to the police hospital. Concealment of venereal disease on the part of head constables, naiks or constables is an offence punishable under section 7 of the Police Act. An officer convicted under this section of the offence of concealing the fact that he has contracted venereal disease shall, apart from any other punishment which it may be considered necessary to inflict on him, be placed under suspension and detained in hospital until he is discharged as cured or invalidated. During such suspension he should be given a subsistence grant not exceeding a quarter of his pay.

365C. A medical history sheet in the prescribed form will be maintained in duplicate for every officer of and below the rank of sub-inspector, one copy being attached to the character roll and the other being retained by the officer himself. When an officer applies for admission to the police hospital he must take his copy of his medical history sheet with him. When he is discharged from hospital an entry of the illness from which he has suffered while in hospital will be made in the history sheet which will be returned to the Superintendent of Police from hospital direct. A copy of this entry will then be made in the medical history sheet attached to the character roll, after which the officer's copy will be returned to him. No leave or extension of leave on medical certificate should ordinarily

be granted to any officer of or below the rank of sub-inspector unless he produces his copy of his medical history sheet on which the medical officer recommending leave has entered his remarks and signature.

365D. All police officers of and below the rank of head constable are liable to compulsory medical inspection, and every Superintendent of Police of a district or railway section will arrange with the Civil Surgeon to have every officer of and below the rank of head constable under his command medically inspected not less than once in every calendar year. Every officer must bring his medical history sheet with him for this inspection.

Allocation.

366. The Superintendent of Police may re-allocate the non-gazetted provincial police force of the district temporarily to meet sudden emergencies. Every proposal for permanent re-allocation must be reported through the District Magistrate and the Commissioner for the orders of the Inspector-General, who may reallocate the force in a district or among districts without applying for the sanction of Government, provided that he does not depart from the provincial scale of establishment.

The Officer Commanding the Station must be consulted before any proposal relating to the strength of the cantonment police is submitted by the Superintendent of Police.

367. Rural police may be re-allocated within the district with the sanction of the Commissioner.

368. The Deputy Inspector-General of a range is empowered to increase the police force of one of his districts temporarily, for such purposes as fairs and operations against dacoits, by moving police not above the rank of inspector from other districts in other ranges with the consent of the Deputy Inspectors-General concerned. Superintendents of Police should address applications for extra police (armed or civil) to the Deputy Inspector-General of the range. Long notice should be given in the case of periodical requirements for annual fairs or assemblages in which large forces of police are habitually employed.

369. In every district the number and scale of sanctioned fixed guards are shown in the police allocation and must not be varied.

370. A sub-inspector has been allowed to every district as a reader for the Superintendent of Police; the post of reader to the Superintendent should always be held by a sub-inspector.

PART III.

Internal Management.

CHAPTER XXVIII.

APPOINTMENT.

371. The police force consists of the following bodies:—

(1) Provincial Police, civil, armed and mounted. (2) Government Railway Police ... (3) Village chaukidars appointed in	Appointed and enrolled under Act V of 1861. Agra under Act XVI of 1873 and in Oudh under Act XVIII of 1876.
} Not enrolled under Act V of 1861.	

372. The gazetted officers of the force are:—

- (1) Inspector-General.
- (2) Deputy Inspectors-General.
- (3) Superintendents,
- (4) Assistant Superintendents.
- (5) Deputy Superintendents.

373. The non-gazetted officers of the force are:—

- (1) Inspectors.
- (2) Sergeants
- (3) Sub-Inspectors.
- (4) Head Constables.
- (5) Naiks.
- (6) Constables.

374. Superintendents and officers of higher rank are appointed by the Governor in Council.

375. Assistant Superintendents are ordinarily appointed on probation by the Secretary of State on the result of competitive examinations held in England and in India. They are confirmed by the Governor in Council (see Chapter XXXIV).

376.

377. The rules regulating the appointment of Deputy Superintendents of Police which are now in force are contained in Government Notification no. 2300/C-II, dated June 19, 1928, which was reproduced in pages 314 to 322 of the *Police Gazette*, dated June 27, 1928.

378. Directly recruited Deputy Superintendents of Police on first appointment will get Rs. 200 per mensem. Subject to the rules regarding departmental examinations and confirmation they will be entitled to increments in accordance with the time-scale of pay at the time being in force. The pay of Deputy Superintendents appointed by promotion will on their first appointment depend on their pay as inspectors at the time of promotion and will be fixed according to the Fundamental Rules.

379. Appointments to the rank of reserve and divisional inspector are ordinarily made by Deputy Inspectors-General by the promotion of sergeants and selected sub-inspectors (see Chapter XXIX).

Appointments to the rank of prosecuting and circle inspector are made by Deputy Inspectors-General by the promotion of sub-inspectors selected by committees of Deputy Inspectors-General (see Chapter XXIX).

All inspectors and sergeants will remain on probation for two years from the date they are confirmed in their appointments, ~~appointed substantively~~.

British army reservists on being discharged from the police force, during, on or the end of, their period of two years' probation should apply to the nearest military authority if they desire to be repatriated.

380. Sergeants are appointed by Deputy Inspectors-General. They may be Europeans or Anglo-Indians, but must be British subjects and will ordinarily be recruited from the Army and English schools in India.

N.B.—Only persons of pure Asiatic descent are eligible for appointment as sub-inspector and officers of lower rank.

381. For the rules as to the appointment of sub-inspectors of the civil police, see the Provincial Police Training School pamphlet, part II.

Promotions of head constables to the rank of sub-inspector, armed and mounted police, are made by Deputy Inspectors-General.

382. In the civil police head constables and naiks are appointed by the Superintendent of Police by promotion of naiks and constables of the district force.

Head constables and naiks of the armed police are appointed by the Superintendent, head constables of the mounted police by Deputy Inspectors-General, in both cases by promotion (see Chapter XXIX).

383. Mounted police constables are appointed on probation by the Superintendent of Police either by the enlistment of outside candidates or by the transfer of men (at their own request) from the foot police. They must be enlisted between March and June in order that they may have as much training as possible in foot drill and discipline before going to the Police Training School for mounted training. They are confirmed after two years by the Superintendent of Police subject to the provisions of paragraph 74. Brahmins should seldom be enlisted.

Candidates for the mounted police must be of the age, height, and chest measurement required of recruits for the foot police under paragraph 386(a) with the additional qualification that their weight should not ordinarily exceed 1 maund 22 seers.

Outside candidates must be passed medically fit by the Civil Surgeon before they are enlisted, the blank medical certificate in form no. 29 with which they are sent to the Civil Surgeon being superscribed "for mounted police only."

384. Enlistments of constables for the armed and civil police will be made by Superintendents. No man who is less than 18 or more than 25 years old may be enlisted (or re-enlisted) without the sanction of the Inspector-General: provided that chaukidars of approved character, caste and qualifications may be drafted into the provincial police up to the age of 30 by Superintendents on their own authority.

Military pensioners may be enlisted as constables in the armed police, and after appointment may draw their pay as members of the police force in addition to their military pension. The enlistment should be notified to the Controller of Military Accounts. The Inspector-General's sanction need not be obtained if the pensioner is more than 25 years old, but Superintendents should, of course, not enlist men who are too old to be fit for 15 or 20 years' hard work.

Ex-soldiers who are neither reservists nor pensioners may be enlisted as ordinary recruits and are not restricted to the armed police. The age-limit of 25 years applies to them, but the Inspector-General will readily grant sanction up to 30 years of age.

In districts where recruiting is bad Superintendents may apply to the Recruiting Staff Officer for pensioners or ex-soldiers other than reservists. Indian Army reservists and members of the Indian Territorial Force may not be enlisted in any branch of the police force, and no member of the police force (including clerical staff) is permitted to join the Indian Territorial Force or the Auxiliary Force, India.

385. Ex-soldiers of the following classes are entitled when enlisted in the police to count their previous military service for incremental pay as constables: provided that the military service of a military pensioner or gratuitant will not count for incremental pay if he continues to draw his pension or unless if enlisted on or after January 29, 1927, he refunds any service gratuity that he may have received on his discharge from the Army:—

- (1) Ex-soldiers of combatant units of the Indian Army;
- (2) Ex-soldiers of units formerly classed as Imperial Service Troops;
- (3) Ex-members of non-combatant units of the Indian Army who served on any front during the European War or on the North-West Frontier during the Afghan War or with the Waziristan Field Force or in Mesopotamia before July 25, 1923, the date of the ratification of the treaty of peace with Turkey.

Appendix XXVIII of Army Regulations, India, Volume II, should be consulted as regards the branches of military service which fall in the category of non-combatant services. The cases of men with previous service in units not mentioned in that appendix should be referred to the Inspector-General of Police for orders at the time of enlistment unless governed by rulings already generally notified.

386. No recruit shall be enlisted whose chest measurement is less than 32 inches, or whose height is less than 5 feet 6 inches. To this rule there are the following exceptions:—

- (a) Men between 18 and 20 years of age, who show signs of growing and filling out, may be enlisted if they are 5 feet 5 inches in height and 30 inches round the chest: provided that the Civil Surgeon certifies that the recruit is under 20, and that he is likely to attain standard measurements.
- (b) In the case of Nepalese and hillmen, the chest measurement must be not less than 32 inches, and the height not less than 5 feet 4 inches.

387. Before a candidate for recruitment is sent to the Civil Surgeon for medical examination his height and chest measurements must be accurately taken before the reserve inspector. The candidate must be measured round his bare chest with his arms raised up.

No candidate shall be enlisted without a health certificate in form no. 29 signed by the Civil Surgeon of the district. Every candidate must also, before he is enlisted, sign an agreement in the following form:—

I, son of _____ of village _____ thana _____
district _____ agree to undertake that on being
enlisted as a constable in the United Provinces police force I will serve two
years in the said United Provinces Police, from the date of joining the force,
unless I am discharged or dismissed or certified by a Civil Surgeon to be unfit for
such service. If I resign before the expiry of the said two years I undertake
and agree to forfeit a sum reckoned at a rupee for every month's service.

388. A register of candidates for recruitment shall be kept in every district (form no. 355). Whenever a candidate is sent for examination to the Civil Surgeon the register will be sent with him, all the columns having been filled up except columns 8, 13, 14, 15, 16 and 17. The Civil Surgeon will fill up columns 8 and 13. If the candidate is declared to be unfit the entry should be struck out with red ink.

389. All candidates shall, as a necessary condition of their being enrolled, either furnish a certificate of having been successfully vaccinated except in the event of their having had small-pox, or submit to be vaccinated by the Civil Surgeon; in the latter case, if the Civil Surgeon be not able to perform the operation at once, the recruit will be sent to him for the purpose on the first available opportunity, a memorandum being kept of all such recruits with a column showing the subsequent date of vaccination.

390. Recruits must be of good character and should be drawn from castes generally recognized as respectable. Preference should be given to candidates of agricultural, police, and army stock. Gurkhas, ex-convicts, and members of criminal tribes and wandering gangs shall not be enlisted; members of recognized menial castes shall not be enlisted without the sanction of the Deputy Inspector-General. Brahmans shall not be enlisted in the armed or civil police of any district where they already number more than 10 per cent in the armed and 5 per cent. in the civil police. Muhammadans shall not be allowed to absorb more than half of the appointments. In the armed police at least 10 per cent. of the force should, if possible, be composed of Sikhs or other Punjabis, Nepalese of British nationality and hillmen. In the civil police men of the United Provinces shall be employed in preference to men from other provinces. In recruiting for the civil police preference should be given to men who can read and write. Men shall not be classed as literate unless they know both Urdu and Hindi. For the conditions under which recruits may be enlisted as constables of class A on grounds of literacy, see paragraph 391.

NOTE.—Gurkhas are Nepalese subjects of the fighting races, and the ban on the enlistment of Gurkhas does not apply to Nepalese of British nationality and those who have a settled domicile in India, but in order to prevent any misunderstanding no Nepalese of any kind may be enlisted without the sanction of the Inspector-General, to whom full details of name, caste and residence must be furnished, after verification of his claim to be a British subject, together with reasons for accepting such claim.

391. In order to ensure the maintenance of an adequate supply of English-knowing men for finger print work Government have sanctioned the enlistment each year, direct in clear vacancies as constables first grade by the Superintendent of Police—

of every first-class district of five men with a good knowledge of English.

“ second “ “ of three ditto.

“ third “ “ of two ditto.

Before such men are enlisted in the first grade Superintendents of Police must satisfy themselves that they can read and write Hindi and Urdu up to the standard required for “A” class allowance (for which they will be eligible in addition to their first grade pay) and that they possess a sufficient knowledge of English to enable them to study the Finger-print Manual, to maintain the registers prescribed therein and to qualify as impression-takers after due preparation. Constables already in the force may similarly be promoted to the first grade on showing at any time that they fulfil the above conditions, provided that the prescribed district maximum is not exceeded. Recruits appointed to the first grade must undergo the same course of training as other recruits, and must also be trained in finger-print work under the supervision of the prosecuting inspector.

392. Any recruit or constable appointed in or promoted to the first grade under the preceding rule who fails to qualify as an impression-taker within twelve months shall be reverted to the grade for which his length of service qualifies him

under the ordinary rules. As regards age, measurement, caste, etc., the enlistment of recruits in the first grade is governed by the rules applicable to other recruits in this chapter.

393. The Superintendent of Police is authorized in special cases to re-enlist men who have resigned their appointments in the police force of any province, and should in such cases ordinarily allow previous service to count for leave and increments of pay under Fundamental Rule 65(a). Before a man is re-enlisted he must be medically examined as on first enlistment, and the sanction of the Inspector-General must be obtained to the re-enlistment of a man who is more than 25 years old.

Men who have quitted posts in other branches of Government service should not be enlisted without a reference being made to the department in which they were employed. A man dismissed for misconduct from any department may not be enlisted (see Manual of Government Orders.)

394. As soon as a man's name is entered in the register of candidates and he is passed by the Civil Surgeon or immediately after enlistment in the case of a man recruited without being first registered as a candidate, his character, antecedents and age must be verified in form no. 92. This form must be written up for despatch by the lines muharrir in the presence of the reserve inspector or other officer not below the rank of sub-inspector and must be signed by these officers and by the recruit before the recruit is enlisted. The recruit should be warned that if the account he gives of himself is found to be false, in any particular, he will render himself liable to prosecution under section 182 of the Indian Penal Code. Superintendents should carefully ascertain whether the man has ever been in Government service before or not, and verify his statement on this point, as far as possible, noting the result in this form in English. Form no. 92 and the connected papers should be attached to the character and service roll. As soon as a candidate is passed by the Civil Surgeon a form of exhortation will be read out to him in the presence of the senior gazetted officer at headquarters or, in the absence of all gazetted officers from headquarters, in the presence of the officer in charge of the office of the Superintendent of Police, and subsequently an oath will be taken by the candidate as specified in police form no. 90 and he will be given a copy of police form no. 91 in which the duties and aims of a police constable are set forth. The ceremony of administering an oath to a recruit should be made as impressive as possible in order to enhance its value, and should not be treated as a mere formality.

395. It is important in order to avoid difficulty at the time of an officer's retirement that all military service which may count towards pension should be verified at the time of enlistment; the procedure laid down in Chapter XXVIII, Office Manual, being carefully followed.

396. Each recruit on enlistment is entitled to receive free of cost the extra articles of kit mentioned in paragraph 247, Dress Regulations, on the conditions mentioned in that paragraph. Men who after quitting the service are re-enlisted are not entitled to the issue of this kit. A recruit may also be granted an advance of pay not exceeding Rs. 5, to be recovered in instalments of Re. 1 per mensem.

Head constables promoted to the rank of sub-inspector are authorized to purchase uniform, in the case of the civil police up to a maximum cost of Rs. 150 and in the case of the Armed and Mounted Police up to a maximum of Rs. 100. Bills on account of such uniform are sent to the Inspector-General for payment.

General.

397. A Superintendent of Police must not appoint to any post under his control any person already in Government service, without the consent of the officer to whom that person is subordinate. Such consent is necessary even if a

person resigns his post to get the appointment. For rules regarding the employment of both civil and military pensioners, including gratuitants, see Civil Service Regulations, Chapter XXI, especially articles 510, 510A and 526.

398. A certificate of appointment in form no. 25, showing the date of his enrolment, shall be given, mounted on cloth, to every person enrolled in the police force under Act V of 1861. This certificate must be given up by the man on his quitting the service. These orders also apply to men temporarily employed.

399. For rules as to the declaration about the ownership and acquisition of landed property to be made by an officer in superior service when first appointed and subsequently, see Manual of Government Orders.

400. For rules about the appointment of the clerical staff, see Chapter XXXII of the Office Manual.

401. For rules as to cases in which officiating appointments may be made in temporary vacancies, see Chapter XXII of the Office Manual.

402. The men whose names are on the register of candidates for recruitment (see paragraph 388), and who have not yet been enlisted, have a prior claim to appointment in temporary vacancies. If none of these men are available, others may be appointed. The Superintendent should insist, as far as possible, on men temporarily appointed as constables possessing the qualifications required for recruits. No man may be appointed to act temporarily as a constable in a permanent vacancy.

CHAPTER XXIX.

PROMOTIONS.

403. Promotion in the gazetted ranks of the department is made by the Governor in Council. The Inspector-General is an officer specially selected by the Government. Promotion to the rank of Deputy Inspector-General is made by selection from officers of the rank of Superintendent. Subject to the provisions regarding an efficiency bar which will be found below, the promotion of Assistant Superintendents to the rank of Superintendent is by seniority: provided that no officer will be promoted to that rank unless his service is approved and until he has passed the departmental examination for junior officers and obtained the certificates mentioned in paragraph 496. Assistant Superintendents and Superintendents receive periodical increments of pay from the first to the twenty-sixth year of service according to time-scales, Assistant Superintendents being on an inferior and Superintendents on a superior scale. Officers on the inferior scale when acting in the superior scale draw the same pay as officers on the superior scale with the same length of service: provided that an officer for whose length of service no superior scale rate of pay is prescribed will draw pay at the lowest rate prescribed on the superior scale. Efficiency bars are in operation after the ninth year of service in the inferior, and after the seventeenth year of service in the superior scale. An officer who is not considered fit for a superior scale appointment will not be allowed to pass the first bar and an officer who is not considered fit to hold charge of a first-class district will not be allowed to pass the second. Deputy Inspectors-General under whom a gazetted officer has served during the last five years will be formally consulted when the question of that officer's promotion beyond an efficiency bar arises: provided that this will refer only to Deputy Inspectors-General actually serving in India. Promotion to a limited number of posts of Superintendents on higher pay is by selection.

When an officer has been passed over for promotion to a selection grade or at an efficiency bar but is subsequently promoted, his place in the gradation list will be governed by the date on which he was promoted.

404. For officers of the Indian Police who were appointed after September, 1894, and were not promoted from the rank of inspector, seniority is determined by the following rules:—

For officers who joined the department between October 1, 1894 and December 31, 1897.

I.—Seniority in the police force will depend on the order in which probationers pass the departmental examination for probationers. If two or more probationers pass the examination on the same date, their relative seniority will depend on the number of subjects in which they pass, the one who passes in the least number taking precedence. If two or more probationers pass the examination in the same number of subjects on the same date, their relative seniority will depend on the order in which they pass, i.e., on the aggregate number of marks obtained by each: Provided that when a probationer appointed in England passes finally in one subject and that subject is the vernacular, seniority as against a probationer appointed in India, who passes finally in one subject of whatever kind, will be determined by the date of appointment as probationer.

For officers who joined the department between January 1, 1893 and June 1, 1903.

II.—Seniority in the police force will in all ordinary cases depend on the order in which probationers pass the departmental examination for probationers; but the Local Government has the power to relax this rule by antedating the passing of an officer in any exceptional cases (such, for instance, as unavoidable detention of the officer at the time fixed for the examination by some pressing emergency or by the express order of his superior officer) in which the literal application of the rule would work inequitably. If two or more probationers pass the examination on the same date, their relative seniority will depend on the number of subjects in which they pass, the one who passes in the least number taking precedence. If two or more probationers pass the examination in the same number of subjects on the same date, their relative seniority will depend on the order in which they pass, i.e., on the aggregate number of marks obtained by each. Provided that where a probationer appointed in England passes finally in one subject and that subject is the vernacular, seniority as against a probationer appointed in India who passes finally in one subject of whatever kind, will be determined by date of appointment as probationer.

For officers appointed between June 1, 1903 and April 3, 1918.

III.—Rule II applies to these police officers only until they reach the substantive rank of Superintendent. On attaining that rank substantively they will be placed in the gradation list according to the order of their appointment to the service, and not according to the dates on which they succeeded in passing the departmental examination: provided that officers appointed in the same year by the Secretary of State shall be relatively placed according to the order in which they passed the competitive examination.

For officers appointed subsequently to April 3, 1918.

IV.—Assistant Superintendents of Police will retain their original seniority irrespective of the dates on which they pass their departmental examinations, but an officer who fails to pass these examinations within two years of his appointment is liable to be discharged from the service. The Local Government may, however, in special cases exempt an officer from passing any portion of the departmental examination or may extend the period during which that examination must be passed. In such cases the Local Government may at its discretion withhold any increments to which the officer concerned would have been entitled had he passed his examination, or may sanction such increments irrespective of the fact that he has not passed.

Officers appointed under the reconstruction scheme in 1919-20 or under the terms of the press *communiqué* of November 21, 1921, will be graded according to age, irrespective of the dates on which they pass their departmental examinations.

405. The seniority of Deputy Superintendents on first appointment will be according to the date of appointment. In the event of two or more Deputy Superintendents being appointed on the same date the order of their seniority will be determined by the Governor in Council.

Deputy Superintendents of Police receive periodical increments of pay according to a time-scale with an efficiency bar after the eleventh year of service. Promotion to a limited number of posts on higher pay is by selection and will be made only for outstanding merit. The promotion of Deputy Superintendents to the Indian Police Service is by selection,

406. Superintendents and Deputy Superintendents of Police promoted permanently or temporarily to the selection grades will be considered senior while in those grades to those whom they have superseded.

407. The calculation of the pay of officers of the Provincial Police Service promoted after the 8th day of November, 1927, to the Indian Police Service or to officiate in posts borne on the cadre of that Service is regulated by the following rules taken from the resolution by the Secretary of State for India in Council reproduced in Home Department (Police) notification No. F-113—III/24, dated March 20, 1928.

1928 Rules.

1. In these rules:—

- (i) "Provincial Service" means a Provincial Police Service.
- (ii) "Promoted officer" includes—
 - (a) an officer promoted from a Provincial Service to the Indian Police Service; and
 - (b) an officer of a Provincial Service officiating in a post borne on the cadre of the Indian Police Service.
- (iii) "Actual pay" means the pay to which an officer of the Provincial Service is entitled under the time-scale or in the selection grade of the Provincial Service, as the case may be, by virtue of his substantive position in the cadre of that service.
- (iv) "Assumed pay" means the pay which an officer in the selection grade of a Provincial Service would be drawing under the time-scale of that service, if he had not been promoted to the selection grade.
- (v) "Junior time-scale" and "senior time-scale" mean the junior time-scale and senior time-scale, respectively, of the Indian Police Service.

2. (a) The initial basic pay of a promoted officer appointed to a post on the junior time-scale shall, on each occasion of his promotion, be fixed on the junior time-scale at the stage next above his actual pay, if he is not in the selection grade, or his assumed pay, if he is in that grade, or if his actual or assumed pay, as the case may be, is equal to, or higher than, the maximum of the junior time-scale then at the maximum of that scale; the initial basic pay of a promoted officer appointed to a post on the senior time-scale shall, on each occasion of such promotion, be fixed at the stage of the senior time-scale corresponding with the stage on the junior time-scale at which it would have been fixed under this rule, if the officer had been appointed to a post on that time-scale; and in either case he shall draw there-after increments on the inferior or superior time-scale as the case may be:

Provided that the basic pay of such an officer as so calculated shall at no time exceed the pay which he would be receiving under the junior or senior time-scale, as the case may be, if all his service in the Provincial Service together with one-half of his non-gazetted Government service, if any, had been service in the Indian Police Service.

(b) If and so long as the basic pay of a promoted officer as calculated in clause (a) is less than his actual pay as at the date of his promotion he shall draw personal pay equal to the amount of the deficiency.

(c) If and so long as the basic pay, together with any personal pay under clause (b), of a promoted officer holding a post on the senior time-scale does not

exceed his actual pay as at the date of his promotion by Rs. 175 a month, he shall, subject to the limit laid down in the proviso to clause (a), draw personal pay equal to the amount of the deficiency.

(d) If and so long as the pay, as calculated under the previous clauses of this rule, of a promoted officer who has previously officiated in a post borne on the cadre of the Indian Police Service in less than the pay which he drew when last officiating, he shall draw personal pay equal to the amount of the deficiency.

3. If the actual or assumed pay of a promoted officer is enhanced while he is officiating in a post borne on the cadre of the Indian Police Service, his pay shall be re-calculated in accordance with these rules as though he had been promoted on the date of enhancement.

4. Increments of pay on the time-scale of the Indian Police Service shall be granted to a promoted officer only on completion of a full year's service at any stage of that scale, but for the purpose of calculating one year's service at a given rate of pay broken periods of officiating service at that rate shall be taken into account.

5. These rules shall apply to all officers promoted after the 8th day of November, 1927; but officers promoted prior to that date may elect to have their pay revised in accordance with these rules, with effect from the 8th day of November, 1927.

RULES PREVIOUSLY IN FORCE.

The following rules governing the cases of officers promoted from the Provincial to the Indian Police Service between April 7, 1921 [April 30, 1921, in the case of rule (2)] and November 8, 1927, are reproduced here as they are likely to be needed for reference:—

- (1) The initial pay of an officer promoted from the Provincial Police Service shall on each occasion of his promotion be fixed on the inferior time-scale of pay for the Indian Police Service at the stage next above his existing pay in the Provincial Police Service. As soon as he holds a superior post he shall rise to the corresponding stage of the superior scale.
- (2) When an officer of a Provincial Police Service is drawing pay in that service equal to, or higher than, the maximum of the inferior Imperial Police time-scale and is promoted to a superior post in the Imperial Service he shall be brought on to the superior time-scale at the stage which is Rs. 175 in excess of the pay he was drawing in the Provincial Service, or if there is no such stage, then at the stage next above the total of his pay in that service plus Rs. 175, provided that no officer so promoted from the Provincial Service shall draw more pay than that which an officer of the Indian Police Service of the same number of years service in the gazetted ranks would be entitled to under the superior time-scale.
- (3) On any enhancement of his Provincial Police Service pay (whether as the result of general revision of the Provincial Police Service rates of pay or of the operation of the Provincial Police Service time-scale or of promotion to the selection grade of the Provincial Police Service) while officiating in the Indian Police Service post such an officer shall be entitled to have his pay on the Indian Police time-scale of pay recalculated in accordance with the principles laid down in rules (1)

and (2) of these rules, on the basis of his enhanced pay in the Provincial Police Service, and with effect from the date of such enhancement.

(4) Increments of pay on the Indian Police Service time-scale of pay shall be granted to a Provincial Police officer holding an Indian Police Service post only on completion of a full year's service on any stage of that scale, but for the purpose of calculating one year's service at a given rate of pay broken periods of officiating service at that rate of pay shall be taken into account.

408. Confidential personal files are maintained for all gazetted officers by the Inspector-General of Police and are considered when any question arises relating to the fitness of gazetted officers for promotion beyond an efficiency bar or to posts to which promotion is by selection. Officers are not permitted to see their personal files, but following the principle laid down in the Manual of Government Orders the Inspector-General will periodically communicate to every gazetted officer serving under him any remarks entered in the officer's personal file which relate to defects which are in the opinion of the Inspector-General (a) capable of correction and (b) likely to deprive the officer of future promotion.

409. For the promotion of inspectors to the rank of Deputy Superintendent, see Chapter XXVIII.

410. Grade promotion of inspectors is made by Deputy Inspectors-General on the basis of the provincial combined list of—

- (a) reserve and divisional inspectors ;
- (b) prosecuting inspectors ;
- (c) circle inspectors.

Promotion to the first grade is entirely by selection and a fixed proportion of posts in that grade is reserved for each of the above classes of inspectors. To other grades promotion, both permanent and temporary, is regulated by seniority and the practical efficiency that officers have shown in the discharge of their duties; and it is not necessary that an officer promoted should belong to the class in which a vacancy has occurred.

The names of the instructors attached to the Provincial Police Training School are borne on the provincial combined list of inspectors and they are given grade to grade promotion in the ordinary way.

411. Promotions to the rank of reserve inspector are made by Deputy Inspectors-General on a provincial basis from the combined list of sergeants and Indian sub-inspectors of the armed, civil and mounted police who have been approved by the Inspector-General for promotion to the rank of reserve inspector. For the method by which Indian officers are nominated, selected and trained for entry on this list, see Chapter XXXV.

Seniority on the combined list will ordinarily depend on length of service as sergeant or sub-inspector and officers of all classes whose names are on the list will be eligible to officiate as reserve inspectors, after, in the case of sergeants, they have passed the departmental examination prescribed in Chapter XXXV, and after, in the case of mounted and civil police sub-inspectors, they have completed the course of training prescribed in the same chapter. Officers who officiate as reserve inspectors and give satisfaction will ordinarily be confirmed according to their seniority on the combined list, but due regard will be paid in the case of mounted and civil police sub-inspectors to the dates on which they have completed the training referred to above. Sergeants who have not passed the departmental examination prescribed in paragraph 501 are ineligible for permanent promotion

to the rank of inspector and may be promoted to officiate in that rank only with the sanction of the Inspector-General of Police which will not ordinarily be given so long as qualified men are available.

412. Permanent promotions to the rank of prosecuting and circle inspector are made by Deputy Inspectors-General and the Assistant to the Inspector-General in charge of railway police on a provincial basis from the lists of civil police sub-inspectors approved for promotion to the rank of (1) prosecuting, and (2) circle and railway divisional inspector, respectively. Superintendents of Police are required under paragraph 73, Office Manual, to submit recommendations annually for the inclusion of names in these two lists. The Inspector-General will fix the total number of sub-inspectors whose names may be added to the lists each year from each range and will convene a committee of Deputy Inspectors-General to select the required number from the officers nominated. Ordinarily no candidate's name will be placed on either of these lists until he has been selected by the committee of Deputy Inspectors-General. Promotion will be by seniority on the appropriate list but an officer of special ability may be promoted out of his turn. The seniority of sub-inspectors selected at the same time for promotion to the rank of inspector is, for the purposes of such promotion, determined ordinarily by the dates of their appointment as sub-inspector.

413. Promotions to the rank of railway police divisional inspector are made by the Assistant to the Inspector-General in charge of railway police from amongst sergeants who have passed the departmental examination prescribed in paragraph 501 and sub-inspectors of the civil police with railway police experience whose names are on the list of sub-inspectors approved for promotion to the rank of circle and divisional inspector. For confirmation officers of both classes will retain their position on the list to which they belong.

414. Temporary vacancies in the rank of inspector are ordinarily filled by the Deputy Inspector-General of the range by the promotion of a candidate in the district or range concerned whose name is on the approved list of candidates for the class of inspectorship in which the vacancy has occurred (see paragraph 220, Office Manual).

415. In the course of their annual tour of inspection all Deputy Inspectors-General of ranges will take steps to ascertain the manner in which all sub-inspectors approved for promotion to the rank of inspector have worked during the year and the general repute in which they have been held, making inquiries regarding them from District Magistrates and Superintendents of Police, interviewing them personally, and, whenever possible, inspecting the police stations at which they are posted. In April, at the end of the touring season, each range Deputy Inspector-General will send to the Inspector-General a list, showing the name, grade and district of posting of every sub-inspector approved for inspectorship in his range, as well as the class for which, and the year in which, he has been approved, and having a column for remarks in which the Deputy Inspector-General will record his opinion of each officer stating clearly whether he recommends that his name should remain on or be removed from the approved list. In the latter case he should give reasons for his recommendations. The Deputy Inspector-General, Criminal Investigation department, and the Assistant to the Inspector-General, Government Railway Police, will in the same month send similar reports regarding sub-inspectors approved for inspectorship in their respective charges.

It will rest with the Inspector-General of Police to remove from the lists of approved candidates any officer whose work has proved unsatisfactory since his selection.

416. Grade promotions of sergeants are made by Deputy Inspectors-General and the Assistant to the Inspector-General in charge of railway police by

seniority on a provincial basis. As the promotion of sergeants has been adversely affected by the appointment of Indian sub-inspectors as reserve and divisional inspectors, a personal pay of Rs. 25 per mensem is sanctioned for fifteen of the most senior qualified sergeants who are not officiating as inspectors. Only sergeants appointed substantively or in an officiating capacity prior to October 1, 1924, are eligible for this allowance.

417. The special grade of civil police sub-inspectors on Rs. 150 per mensem having been created in order to compensate officers for loss of officiating promotion owing to the reduction in the provincial number of circle inspectors, promotion to this grade is given by Deputy Inspectors-General, on a provincial basis in order of seniority, to officers on the list of sub-inspectors approved for promotion to the rank of circle and divisional inspector, whose work since they were approved has been satisfactory. Sub-inspectors promoted to this grade will be on probation for three years. With this exception, grade promotions of civil police sub-inspectors are made by the Superintendent of Police from the nominal roll on the basis of the district grade allocation, the concurrence of the Deputy Inspector-General being required in the case of promotions to the first grade. Promotion to the first grade is entirely by selection. Sub-inspectors promoted to this grade will be on probation for one year and Superintendents of Police must at the end of that period report to the Deputy Inspector-General whether the officer concerned is fit for confirmation. Promotion to the third and second grade will be given by seniority to officers whose service has been ordinarily good: provided that no investigating officer may be promoted to the second grade unless he has proved himself fit to hold permanent charge of a police station and that no prosecuting sub-inspector may be promoted beyond the second grade unless he has been accepted as an approved candidate for promotion to the rank of prosecuting inspector.

418. When the promotion of an officer requires the concurrence of the Deputy Inspector-General the character rolls of the officer and of any officers whom it is proposed to supersede must be sent to the Deputy Inspector-General with a note giving reasons for supersession.

419. The Deputy Inspector-General may direct that any existing or future vacancy in any grade is to be filled by the transfer of a sub-inspector on promotion from another district: provided that the sub-inspector so transferred is in the grade below that in which the vacancy occurred, and has been waiting—an unduly long time for promotion, or has been selected for special promotion on account of meritorious services.

420. A list in form no. 116 of all sub-inspectors of the civil police in order of seniority (see paragraph 430) shall be submitted by the Superintendent to the Deputy Inspector-General of the range on September 1 of every year.

421. Subject to the conditions laid down in paragraph 226 of the Office Manual head constables of the civil police may be temporarily promoted to the rank of sub-inspector by the Superintendent of Police. Except by the special order of Government no head constable of the civil police can be promoted permanently to the rank of sub-inspector without passing through the provincial Police Training School. The rules relating to admission to the school are given in the provincial Police Training School pamphlet.

422. In the civil and armed police grade promotions of head constables and promotions of constables and naiks to the rank of naik and head constable, respectively, are made by the Superintendent of Police subject to the control of the Deputy Inspector-General. Subject to the rules in paragraph 522 regulating the promotion of specially deserving illiterate and semi-literate men the promotion of

whom they nominate for promotion to the rank of—

- (1) armed police sub-inspector ;
- (2) mounted police sub-inspector, and
- (3) mounted police head constable, respectively.

In making nominations for promotion to the rank of sub-inspector, armed police, Superintendents should pay particular attention to the claims of efficient head constables and naiks with good educational qualifications, including a practical knowledge of English, and the names of such officers should be brought to the special notice of Deputy Inspectors-General. Although naiks of the armed police are eligible for approval as candidates for sub-inspectorship, armed police, they will not be allowed to officiate, even in short vacancies until they are confirmed as head constables. (See also Chapter XXXVII.)

426. All mounted police constables nominated for promotion to the rank of head constable must as prescribed in paragraph 76 of these regulations have obtained drill certificates duly accepted by the Deputy Inspector-General.

427. The Inspector-General will decide each year the number of names to be added from each range to the provincial list of head constables and naiks approved for promotion to the rank of sub-inspector, armed police. The number of names to be added to the provincial list of mounted police constables approved for promotion to the rank of head constable is permanently fixed at two from each range. During the touring season each Deputy Inspector-General will see and examine all the men nominated from his range and will select for entry on the appropriate list two mounted police constables and such number of armed police head constables or naiks as the Inspector-General has fixed for the year ; for entry on the list of mounted police head constables approved for promotion to the rank of sub-inspector mounted police, the Deputy Inspectors-General of Police of the first and third ranges will each select two head constables and the Deputy Inspector-General of the second range one head constable, mounted police. On May 1 the names of men selected will be entered on the provincial lists according to their seniority in their respective ranks, the first name in each case being shown below all other names already entered. Statements will be published in May in the *Police Gazette* showing the position of each man on the provincial lists. Superintendents will also be informed on May 1 by the office of the Inspector-General whether their nominees have been selected. Superintendents of Police should discourage applications for promotion but may re-nominate any mounted head constable or constable or armed police head constable or naik nominated by them and not selected by the Deputy Inspector-General.

428. When the name of a head constable or naik, armed police, is first placed on the provincial list of approved candidates for promotion to the rank of sub-inspector he must undergo the next three months' refresher course at the Police Training School and may not, except for special reasons and with the sanction of the Inspector-General, officiate as a sub-inspector until he has passed this course. All approved head constables of the armed police who are not actually officiating as sub-inspectors as well as naiks whose names are on the list of approved candidates will continue to undergo a further three months' refresher course at the Police Training School every second year. Any head constable or naik who at any time fails to pass this course will be put up before the Deputy Inspector-General of the second range and, if he is finally declared unqualified, his name will be struck off the provincial list.

Similarly a head constable of the mounted police whose turn for promotion to the rank of sub-inspector is approaching will be selected by Deputy Inspector-General to undergo a three months' refresher course at Moradabad ; and any such head constable who fails to pass this course will be ineligible for promotion to the rank of sub-inspector.

429. The grade promotion of constables of all branches of the force, except in the case of English-knowing men specially enlisted in or promoted to the first grade for finger-print work (see paragraph 391), depends on length of approved service, increments being due after three, ten and seventeen years. *See table* —

Amendment no. 30/I(a)—1365-30, dated May 23, 1931, to the Police Regulations, United Provinces.

Substitute the following for paragraph 427 :—

427. A combined provincial list of head constables and naiks, armed police, and head constables, mounted police, approved for promotion to the rank of sub-inspector armed and mounted police respectively, will be maintained in the Inspector-General's office. The Inspector-General will decide each year the number of names of head constables and naiks, armed police, to be brought on this list from each range. The number of names of head constables, mounted police approved for promotion to the rank of sub-inspector, mounted police, to be entered on the list annually is two for the 1st Range, one for the 2nd Range and two for the 3rd Range.

A separate provincial list will also be maintained in the Inspector-General's office for mounted police constables, approved for promotion to the rank of head constable, mounted police. The number of names to be brought on this list annually is permanently fixed at two from each range.

During the touring season each Deputy Inspector-General will see and examine all the men nominated from his range and will select for entry on the appropriate list two mounted police constables, the number of mounted police head constables fixed for his range, and such number of armed police head constables and naiks as the Inspector-General has fixed for his range for the year. On May 1, the names of men selected will be entered on the provincial lists according to their seniority in their respective ranks, the first name in each case being shown below all other names already entered. Statements will be published in May in the *Police Gazette* showing the position of each man on the provincial lists. The office of the Inspector-General will also inform Superintendents on May 1, whether their nominees have been selected. Superintendents of Police should discourage applications for promotion but may renominate any mounted head constable or constable or armed police head constable or naik whom they have nominated but the Deputy Inspector-General has not selected.

Priority for permanent promotion to the rank of sub-inspector, as between the senior armed and the senior mounted police head constable on the combined list of candidates approved for promotion, will depend on the branch in which the first vacancy occurs; but seniority on the combined list of sub-inspectors armed and mounted police will depend on the position that officers occupied before their promotion on the combined list of head constables and naiks, armed police and head constables, mounted police, approved for promotion, irrespective of the dates on which they were promoted.

(G. O. no. 2227/VIII—229, dated April 30, 1931.)

E. A. C. KING,

*Assistant to Inspector-General of Police,
United Provinces.*

433. Orders relating to the grade to grade promotion of sub-inspectors, civil police, head constables, armed and civil police, and constables of all branches will be passed in the "Remarks" column of the district nominal roll which will for this purpose be submitted to the Superintendent of Police in the case of constables on the 10th of the month preceding that in which any such promotion falls due and as soon as a vacancy occurs in the case of other officers. The Superintendent will write the order he passes in the "Remarks" column of the nominal roll and when grade promotion is withheld an entry of the fact with reasons must be made in the officer's character roll. In any case in which the service of a constable is held not to satisfy the requirements of rule 24 in the Financial Handbook, volume II, the order withholding an increment should limit the period for which it is withheld to one year. If it is proposed to withhold the increment beyond that period further orders must issue annually.

Cases in which a constable's increment is withheld as a punishment for a specific offence after proceedings under section 7 of the Police Act are governed by rules 4 and 5 of paragraph 452 relating to reduction.

CHAPTER XXX.

REWARDS.

✓ 434. Rewards are of four kinds—

- (a) rewards proclaimed for information leading to the arrest and conviction of criminals;
- (b) rewards for definite acts of good service or bravery;
- (c) rewards given to village chaukidars (1) for meritorious services and (2) for special services *(and also good conduct allowances for)*
- (d) rewards paid by departments other than the United Provinces Police department, and by courts, private companies or persons.

Rewards of classes (a) and (b) are paid from the same grant, and may be given to private persons as well as to non-gazetted officers of the police force. Rewards of class (a) but not of class (b) may also be given to village chaukidars. The grant is provincial, but after provision has been made for a provincial reserve it is divided by the Inspector-General among the various ranges and is administered by range Deputy Inspectors-General and the Assistant to the Inspector-General in charge of railway police who make allotments to districts and sections, themselves retaining range reserves to assist districts in case of need or to meet large rewards in special cases. The amount allotted to each district or section must be regarded as the maximum to be expended under normal conditions, and an extra grant will not be made unless it is shown that special circumstances, e.g., a case of extraordinary importance, have rendered the sum insufficient. The Superintendent of Police should keep a careful watch on expenditure and not pay rewards in doubtful cases if the grant is likely to run short. He must intimate the amount of probable excess or savings in his allotment to the Deputy Inspector-General of his range by January 15 at the latest to enable any adjustments to be made that may be necessary.

Deputy Inspectors-General of ranges and the Assistant to Inspector-General in charge railway police are authorized to re-appropriate from districts which anticipate savings and to re-allot to others in which funds are exhausted.

The Criminal Investigation Department grant for rewards of classes (a) and (b) is separate from the provincial grant. The Deputy Inspector-General exercises the same powers in respect to it as a range Deputy Inspector-General in respect to the provincial grant.

✓ 435. Rewards of class (a) may be offered and paid by the following officers up to the limits specified :—

By the Superintendent of Police up to Rs. 100 for each criminal.

By the Inspector-General or range Deputy Inspector-General or Assistant to the Inspector-General, Railway Police, on the application of the Superintendent or otherwise, up to Rs. 1,000 for each criminal, or by the Inspector-General, with the sanction of Government up to any sum.

Rewards of this class should ordinarily be offered for arrest and conviction, and not for arrest alone; but the officer who is empowered to make the offer may determine the wording of the proclamation. In a case in which the proclamation was for arrest and conviction he may also order the whole or part of the reward to be paid for arrest only, either (1) immediately after arrest and before or during

trial, if proceedings are likely to be protracted, and he is satisfied that nothing that can transpire at the trial can affect the merit of the work done by the police officer or other person who effected the arrest, or, (2) after the trial, when, through no fault of the police officer or other person who effected the arrest, conviction has not followed arrest. A reward must not be offered for the capture of a criminal, "dead or alive."

436. Rewards of class (b) may be paid by the Superintendent to a limit of Rs. 100 for each occurrence on his own authority, and up to Rs. 1,000 with the sanction of the Deputy Inspector-General. For larger sums the sanction of the Inspector-General of Police must be obtained through the Deputy Inspector-General.

The following principles should govern payments of rewards of this class :—

- (1) Rewards given to inspectors and sub-inspectors should not be trifling; it is derogatory to a sub-inspector to receive a reward of less than Rs. 10; but the size of rewards should not be mechanically proportioned to salary and if the main credit belongs to a subordinate he should get the bulk of the reward. If the inspector or sub-inspector's share is clearly a minor one there is no need to reward him otherwise than by a good entry in his character roll. Money rewards should be sparingly given to circle inspectors except in cases where they have personally done special work. Any tendency on the part of officers to magnify their own performances at the expense of their subordinates should be watched for and suppressed.
- (2) Rewards should not be given to prosecuting inspectors unless a case has been peculiarly difficult or complex and the prosecuting inspector has shown exceptional energy or skill in prosecuting it. It is not a sufficient reason for rewarding a prosecuting inspector that a case already well worked out by the investigating staff has been carried to a successful conclusion in court.
- (3) Smart arrests resulting in convictions under section 109, Criminal Procedure Code, may appropriately be rewarded, but no rewards should ordinarily be given in section 110, Criminal Procedure Code cases. If, however, as sometimes occurs, the investigating officer has been put to out-of-pocket expenses in prosecuting a case under this section, the matter should be brought to the notice of the Deputy Inspector-General of the range with a view to re-imbursement.
- (4) Rewards should not be given to any class of officer for "general good work" but only for particular acts of special merit, such as good arrests, good detection or good service on a special occasion. They are not to be given as a matter of routine whenever a case is detected. Nor should they be given for the efficient discharge of ordinary duties, e.g. to a reserve inspector for good re-cruiting or for training recruits.

437. Rewards of class (c) are paid from a provincial grant from which annual allotments are made to districts. Details of rewards granted to chaukidars under each of the two heads (1) for meritorious services and (2) special services, should be maintained separately, in order that the necessity for rewarding chaukidars for the prompt and energetic performance of routine duties may not be overlooked.

Under head (1) will fall rewards for definite acts of good service or bravery, similar to those for which members of the police force would receive rewards of class (b). Under head (2) will fall rewards for general good work, good reporting of births and deaths, prompt reporting of the movements

of bad characters, good surveillance of history sheet men or members of criminal tribes, guarding of special trains, watching roads during fairs and festivals and the like. The Superintendent of Police is empowered to sanction rewards under either head up to a maximum of Rs. 20 to a single person on each occasion. For larger individual rewards the sanction of the Deputy Inspector-General must be obtained.

Recipients should be promptly paid, and if they are not paid by or in the presence of a gazetted officer the first gazetted officer inspecting their police station should make sure from them that they have received the money. Rewards under head (2) should be freely given. The district allotment should always be spent in full and no part of it will be transferred as savings to other heads. Applications for additional grants for rewards to village chaukidars will always be considered.

438. No reward of class (a), (b), or (c) will be paid without the written order of the Superintendent who must maintain a reward register in the prescribed form in duplicate. Columns 1, 2, 3 and 4 will be filled in by the Superintendent himself, columns 5, 6 and 7 by the accountant to whom the register should be sent for this purpose at convenient intervals. The carbon copy will be torn out and sent to the accountant at once and he will attach it to the office copy of the bill in which the amount is drawn.

439. In the case of rewards for the payment of which the sanction of the Deputy Inspector-General or higher authority is required an extract from the reward register will be forwarded in duplicate in form no. 227 to the sanctioning authority. If the application is sanctioned, one copy duly signed by the sanctioning authority will be returned to the district and will be attached in original to the contingent bill in which the amount of the reward is drawn from the treasury. Superintendents will receive recommendations for rewards from Assistant or Deputy Superintendents in charge of sub-divisions, from courts and from inspectors and station officers. Such recommendations must be accompanied by the case diaries or other papers connected with the good service rendered, and the Superintendent must satisfy himself that rewards are fully justified before he makes an entry in the reward register. The total reward sanctioned in each case must be written in words by the Superintendent in the reward register.

440. All rewards of class (d) must be shown in the reward register to enable entries to be made in character rolls and for purposes of record and of the annual returns, but it will not be necessary for the Superintendent to enter these with his own hand. Rewards of class (d) when given by other departments may be either disbursed direct to the police officers concerned by these departments or they may be sent to the Superintendent of Police for disbursement. In the former case the fact that the reward has been granted must be reported to the Superintendent of Police by the recipient or by the officer to whom he is immediately subordinate. In the latter case the sum received by the Superintendent of Police for disbursement should be credited in the cash book and then disbursed in the ordinary way. As money sent to the Superintendent of Police by other departments as rewards for the police represents money drawn for the purpose from public accounts, it need not be deposited in the treasury as long as it is disbursed within one month of the date of receipt. In the case of rewards sanctioned for the police by courts, however, rule 7, chapter IX of the High Court General Rules (Criminal) of 1911 requires the court to deposit the amount of such rewards in the treasury as "Police receipts" and to arrange for the refund of the amount in question by granting the Superintendent of Police a refund voucher which will be accepted and honoured by the treasury after verification of the credit. Such rewards should also be disbursed within one month of the date of receipt by the Superintendent of Police.

441. Police officers must not receive rewards direct from private persons or companies. Rewards from these sources must be paid by the Superintendent of Police into the treasury to be credited under the head "General Police Fund." When the money has been credited in the treasury it will be drawn on a bill and disbursed in the usual way. The same procedure should be followed in cases in which moneys are deposited as a reward on conditions as yet unfulfilled, e.g., when a private person or company offers a reward for the arrest of a thief and the recovery of stolen property.

442. Sums paid out of a fair fund in lieu of halting allowance to police on duty at a fair, and police officers' shares of sums recovered on account of police supplied for private entertainments, need not be entered in the reward register and should be treated as laid down in paragraph 114, Office Manual.

443. As soon as a reward of class (a) is offered in any case of more than local importance or in which there is reason to suppose that the person wanted has left the district a notification of it should be sent to the Assistant to Deputy Inspector-General, Criminal Investigation Department, Investigation branch, for publication in the *Criminal Intelligence Gazette*.

444. Members of the clerical staff are eligible for rewards only in the same way as private persons. They may not be rewarded for work done by them in the ordinary course of their clerical duties.

Reserve lines teachers are not eligible for rewards from the police rewards grant. For the grant of "honoraria" with the sanction of the Inspector-General for exceptionally good work in unusual circumstances, see Financial Handbook, volume II.

445. One good conduct stripe only will be given to illiterate constables drawing "A" class allowance. With this exception no good conduct stripes will be given to constables.

446. The following rules govern the grant of good conduct stripes and allowances to village chaukidars:—

I.—For especially praiseworthy conduct in the discharge of his duties a chaukidar may be awarded by the Superintendent on any one occasion one or two good conduct stripes.

II.—Every two such stripes will entitle the wearer to an allowance, in addition to his pay, of eight annas per mansem.

III.—The maximum allowance is two rupees eight annas.

IV.—Good conduct stripes will be worn by the recipient on the left sleeve of his uniform three inches above the end of the sleeve and at a distance of one-fourth of an inch apart. They will be of red broad-cloth, each half-an-inch wide, to go round the sleeve. Their cost will be defrayed from the clothing grant.

V.—The forfeiture of good conduct stripes and allowance may be ordered as a punishment.

VI.—All grants of good conduct stripes and allowances and all orders withdrawing the same will be entered in the chaukidar's crime record-books, a brief note of the circumstances under which the reward was given or the punishment awarded being made in English and signed by a gazetted officer.

VII.—The total expenditure on allowances must not exceed the budget provision.

CHAPTER XXXI.

DEPARTMENTAL PUNISHMENT AND CRIMINAL PROSECUTION OF POLICE OFFICERS.

447. The rules in this chapter have been made under section 7 of the Police Act (V of 1861) and apply only to officers appointed under that section.

The punishment of gazetted officers is regulated by the conditions of their agreements with the Secretary of State and by rules made by the Secretary of State in Council under sub-section (2) of section 96-B of the Government of India Act of 1919. The rules for the punishment of the clerical staff are given in the Office Manual; those for the punishment of village chaukidars, in Chapter VIII of these regulations.

Punishments.

448. All police officers appointed under ~~section 7 of the~~ Police Act are liable to the following departmental punishments:—

- (a) Dismissal or removal from the force, as defined in paragraph 451;
- (b) reduction, as defined in paragraph 452;
- Head constables, naiks and constables may also be punished with—
- (c) confinement to quarters (this term includes confinement to quarter guard) for a term not exceeding fifteen days;
- (d) punishment drill;
- (e) extra guard duty;
- Constables may also be punished with—
- (f) fatigue duty which should be restricted to the following tasks—
 - (i) tent-pitching;
 - (ii) drain-digging;
 - (iii) cutting grass, cleaning jungle and picking stones off parade grounds;
 - (iv) repairing huts and butts and similar work in the lines;
 - (v) cleaning arms.

Powers of officers.

449. (a) The Governor in Council reserves full powers of punishment with reference to all officers.

(b) The Inspector-General may punish inspectors and all police officers of lower rank.

(c) The range Deputy Inspector-General, the Deputy Inspector-General in charge of the Criminal Investigation Department, and the Assistant to the Inspector-General in charge of the Government Railway Police may punish all officers of and below the rank of inspector temporarily or permanently subordinate to them.

(d) The Superintendent of Police may punish all inspectors, sergeants and sub-inspectors temporarily or permanently subordinate to him except with dismissal. Any case in which he proposes the dismissal of an inspector, sergeant or sub-inspector of any branch of the force must be forwarded to the Deputy Inspector-General of the range for orders.

(e) The Superintendent may punish all head constables, naiks and constables temporarily or permanently subordinate to him.

(f) Assistant, Deputy and honorary Deputy Superintendents of Police who have been confirmed in their appointments may inflict on head constables, naiks and constables the punishments enumerated at (c), (d), (e) and (f) in paragraph 448, but after doing so must submit their proceedings to the Superintendent, who may confirm their orders or pass such other orders as he may think fit.

(g) A reserve inspector may give punishment drill up to a maximum of three days to constables posted in the reserve lines, but when he does so his orders must be despatched from the reserve lines' office to the Superintendent of Police for confirmation within twenty-four hours of their being passed.

Reprimand.

450. Punishments should be inflicted only when they are absolutely necessary in the interests of discipline. Before inflicting or proposing a punishment a Superintendent, Assistant or Deputy Superintendent or reserve inspector should consider whether a reprimand will not suffice. To ensure that the power of reprimand is adequately exercised by the reserve inspector a defaulters' book (Police Form no. 277) should be maintained in the reserve lines. Petty misdemeanours in the case of a first or second offence should be entered in this book by the officer concerned and the defaulter's thumb-impression or signature should be fixed to the entry. Only incorrigibles should be sent up with the register to the Superintendent of Police for punishment.

Dismissal and removal.

451. An order of dismissal should be passed only when an officer's conduct renders his retention in the force undesirable. Dismissal must necessarily follow a sentence of rigorous imprisonment, and should, as a rule, follow a conviction for intentionally or negligently allowing a prisoner to escape from custody, even if the accused is sentenced to a fine. If the Superintendent does not order dismissal in the latter case, he should submit his proceedings to the Deputy Inspector-General of the range with a copy of the judgment, all departmental papers in the case and the character roll of the officer concerned.

The distinction between removal from the force and dismissal is that dismissal precludes the officer dismissed from being re-employed in Government service, while removal from the force implies that, though the officer removed is unfit for police duties, he need not be debarred from re-employment under Government in another office for the duties of which he may be suited.

Reduction.

452. The following rules govern reduction:—

- (1) No officer may be reduced to a rank lower than that in which he was first appointed to the service and no officer may be reduced "permanently" in the sense that he is never to be eligible for re-promotion, however meritorious his subsequent service may be.
- (2) The promotion of officers above the rank of constable depends on their position on a nominal roll and is not regulated by time. When therefore an officer is reduced otherwise than to or in the rank of constable his reduction may be either—
 - (a) to a specified position in a lower rank or grade or lower in the same grade without reference to time; or
 - (b) to lower rank or grade for a specified period.

An officer reduced to a lower rank or grade for a specified period automatically regains his original position when that specified period expires, and only *sub. pro tem.* promotions can be made in consequence of his reduction. The case of an officer reduced to a specified position in a lower rank or grade or lower in the same grade without reference to time is governed by rule (9).

- (3) Constables receive grade-to-grade promotion according to a time-scale but their promotion to higher rank depends on their position on a list of qualified men. They are also eligible for a special A class allowance. In their case, therefore, reduction may be (a) to a lower grade of constables for a specified period, or (b) to a specified lower position on the list of constables qualified for promotion, or (c) from A class to B class either for a specified period or indefinitely, or (d) any combination of these forms of reduction.
- (4) The specified period for which a constable is reduced to any particular grade under rule (3) (a) may in no case exceed the period during which a constable whose service is approved remains in that grade under the time-scale. Thus a constable may not be reduced to the lowest grade for more than three years.
- (5) A period of reduction will count as a period of approved service for a constable's future grade promotion, provided that his work during that period has been ordinarily good; and in that case when his period of reduction expires he will be entitled to take his place in the grade of constables to which he would have attained, if he had not been reduced, and to receive future increments as if he had not been reduced.

NOTE.—"Ordinary good service" means simply that no fault has been committed sufficient to lead to an entry in the character roll.

- (6) When an officer above the rank of constable is reduced to the rank of constable the rules governing the reduction of constables will apply to him and the authority ordering his reduction must indicate the grade to which he is reduced and the period for which (subject to rule 4 above) he is to remain in that grade if not re-promoted above the rank of constable. He must also indicate the position the officer reduced is to occupy on the list of constables qualified for promotion to the rank of naik and whether as a constable he is to be classed as A or B.
- (7) A head constable or naik reduced to the rank of constable may be assigned to any grade in that rank, regardless of the fact that he may not have completed the amount of service which would entitle a constable to draw the pay of that grade.
- (8) An officer reduced to the rank of constable will, if not re-promoted to higher rank, be entitled to receive grade promotion according to the constable's time-scale on his approved service as soon as any period for which he may have been relegated under rule (6) above to a particular grade of constables has expired.
- (9) When an officer is reduced to a specified position on a nominal roll or list that position should be designated by specifying the officer below whose name the name of the reduced officer is to stand. The date on which the officer whose name is to stand above that of the reduced officer was promoted to the grade must also be shown in the character roll of the reduced officer to serve as an indication of the

position the reduced officer is to occupy on the nominal roll of any other district to which he may be transferred. The name of an officer reduced to the lowest place in the lowest grade of sub-inspectors will be placed between that of the most junior substantive sub-inspector and the most senior probationary sub-inspector. An officer reduced to a specified position in a lower rank or grade or lower in the same grade on the nominal roll, under rule (2) or to a specified position on the list of constables qualified for promotion, under rule (3) or (6) will when his turn again comes to be considered for promotion, be eligible for it subject to the provisions of chapter XXIX.

(10) The reduction of a constable from A class to B class is classed as a "punishment"—

- (a) when a literate constable by reason of misconduct is considered unfit for literate duty ;
- (b) when an illiterate or semi-literate constable who was promoted to A class for special detective ability or meritorious service is considered to have blemished his record by misconduct.

In either of these cases formal proceedings under section 7 of the Police Act must be taken before the reduction can be made. The withdrawal of A class allowance from a constable who was promoted to that class as literate but is found to be in fact illiterate is not a "punishment" and in such cases the Superintendent of Police may withdraw the A class allowance after testing the constable's literacy as laid down in paragraph 531. In such cases an appeal will lie to the Deputy Inspector-General.

Procedure.

453. Subject to the special provision relating to commissions of inquiry contained in paragraph 469 and to any special orders which may be passed by the Governor in Council in particular cases, a proceeding against a police officer will consist of—

A.—A magisterial or police inquiry, followed, if this shows the need for further action, by—

B.—A judicial trial, or

C.—A departmental trial, or both, consecutively.

A.—Inquiry.

454. The nature of the inquiry in any particular case will vary according to the nature of the offence. If the offence is cognizable or non-cognizable according to schedule II of the Criminal Procedure Code and information of it is received by the District Magistrate he may in exercise of his powers under the Criminal Procedure Code either—

- (1) make or order a magisterial inquiry ; or
- (2) order an investigation by the police.

If the information is received by a magistrate other than a District Magistrate, and he takes cognizance of the offence, he should report the case at once to the District Magistrate, who will withdraw it to his own court under section 528 (2), Criminal Procedure Code. The District Magistrate may then act as though the original complaint had been made to him.

This power extends to cases under section 29 of the Police Act, but magisterial inquiry in cases under this section will be ordered only in very exceptional circumstances.

455. When a magisterial inquiry is ordered it will be made in accordance with the Criminal Procedure Code and the Superintendent of Police will have no direct concern with it until the conclusion of judicial proceedings or until and unless the case is referred to him for further disposal, but he must give any assistance to the inquiring magistrate that he may legally be called upon to give and he must suspend the accused should this become necessary under paragraph 465.

456. When the offence alleged against a police officer amounts to an offence only under section 7 of the Police Act there can be no magisterial inquiry under the Criminal Procedure Code. In such cases, and in other cases until and unless a magisterial inquiry is ordered, inquiry will be made under the direction of the Superintendent of Police in accordance with the following rules:—

I.—Every information received by the police relating to the commission of a cognizable offence by a police officer shall be dealt with in the first place under Chapter XIV, Criminal Procedure Code, according to law, a case under the appropriate section being registered in the police station concerned: provided that—

- (1) if the information is received, in the first instance, by a magistrate and forwarded by the District Magistrate to the police, no case will be registered by the police;
- (2) in the case of information given, in the first instance, to the police the report required by section 157, Criminal Procedure Code, shall be forwarded to the District Magistrate, and when forwarding it the Superintendent of Police shall note on it with his own hand what steps are being taken as regards investigation or the reasons for refraining from investigation;
- (3) unless investigation is refused by the Superintendent of Police under section 157 (1) (b), Criminal Procedure Code, and not ordered by the District Magistrate under section 159, or unless the District Magistrate orders a magisterial inquiry under section 159, investigation under section 158, Criminal Procedure Code, shall be made by a police officer selected by the Superintendent of Police and higher in rank than the officer charged;
- (4) on the conclusion of the investigation and before the report required by section 173, Criminal Procedure Code, is prepared the question whether the officer charged should or should not be sent for trial shall be decided by the Superintendent of Police, provided that before an officer whose dismissal would require the concurrence of the Deputy Inspector-General under paragraph 449 is sent for trial by the Superintendent of Police, the concurrence of the Deputy Inspector-General must be obtained;
- (5) the charge sheet or final report under section 173, Criminal Procedure Code, shall be sent to the District Magistrate; if the Superintendent of Police or the Deputy Inspector-General has decided against a prosecution, a note by the Superintendent of Police giving the reasons for this decision shall be endorsed on, or attached to, the final report;
- (6) when the reason for not instituting a prosecution is that the charge is believed to be baseless, no further action will be necessary; if the charge is believed to be true and a prosecution is not undertaken owing to the evidence being considered insufficient or for any other reason the Superintendent may, when the final report under section 173, Criminal Procedure Code, has been accepted by the District Magistrate take departmental action as laid down in paragraph 460.

II.—When information of the commission by a police officer of a non-cognizable offence (including an offence under section 29 of the Police Act) is given in the first instance to the police, the Superintendent of Police may, if he sees reason to take action either (a) proceed departmentally as laid down under head III of this paragraph and in paragraph 460 or (b) as an alternative to, or at any stage of the departmental proceedings, forward a report in writing to the District Magistrate with a request that he will take cognizance of the offence under section 190 (1) (b), Criminal Procedure Code; provided that reports against police officers of having committed non-cognizable offences will (when made to the police and unless there are special reasons for desiring a magisterial inquiry or formal police investigation under the Code) ordinarily be inquired into departmentally and will not ordinarily be referred to the District Magistrate until departmental inquiry is complete, and then only if a criminal prosecution is desired.

On receiving information either by means of a report in writing from the Superintendent of Police as laid down above, or otherwise as laid down in section 190 (1) (a) and (c), Criminal Procedure Code, of the commission by a police officer of a non-cognizable offence, the District Magistrate may, subject to the general provisions of Chapter XV, Part B, Criminal Procedure Code—

- (a) proceed with the case under Chapter XVII, Criminal Procedure Code;
- (b) order an inquiry by a magistrate or an investigation by the police under section 202, Criminal Procedure Code; or an investigation by the police under section 155(2);
- (c) decline to proceed under section 203, Criminal Procedure Code.

If an investigation by the police is ordered it will be made under section 155 (3), Criminal Procedure Code, by an officer selected by the Superintendent of Police and higher in rank than the officer charged and all further proceedings will be exactly as laid down for cognizable cases in paragraph 456-I (4), (5) and (6) above.

If no investigation by the police is ordered and the District Magistrate, either after or without magisterial inquiry, declines to proceed criminally with the case, the Superintendent of Police will decide, in accordance with the principles set forth in paragraph 456-I (6) above and subject to the orders contained in paragraph 463, whether departmental proceedings under paragraph 460 are required.

III.—When a Superintendent of Police sees reason to take action on information given to him, or on his own knowledge or suspicion, that a police officer subordinate to him has committed an offence under section 7 of the Police Act or a non-cognizable offence (including an offence under section 29 of the Police Act) of which he considers it unnecessary at that stage to forward a report in writing to the District Magistrate under rule II above he will make or cause to be made by an officer senior in rank to the officer charged, a departmental inquiry sufficient to test the truth of the charge. On the conclusion of this inquiry he will decide whether further action is necessary, and, if so, whether the officer charged should be departmentally tried, or whether the District Magistrate should be moved to take cognizance of the case under the Criminal Procedure Code: provided that before the District Magistrate is moved by the Superintendent of Police to proceed criminally with a case under section 29 of the Police Act or other non-cognizable section of the law against an inspector, sergeant or sub-inspector, the concurrence of the Deputy Inspector-General must be obtained. Prosecutions under section 29 should rarely be instituted and only when the offence cannot be adequately dealt with under section 7.

457. The offence of negligently (or wilfully) suffering a prisoner to escape should ordinarily be dealt with by prosecution under section 29 of the Police Act, and not under section 223 or 225A of the Indian Penal Code.

B.—Judicial trial.

458. District Magistrates are required to withdraw from subordinate magistrates under section 528(2) of the Criminal Procedure Code, all cases in which a complaint has been made that a police officer has committed a criminal offence. Criminal charges against police officers should ordinarily be tried by District Magistrates themselves. Should the District Magistrate himself be unable to try a case it should be tried by an officer with at least six years' experience of judicial work, unless it is a case which can be committed to the Sessions Court.

Q.1.

C.—Departmental trial.

459. A police officer may be departmentally tried under section 7 of the Police Act :—

- (1) After he has been tried judicially;
- (2) after a magisterial inquiry under the Criminal Procedure Code;
- (3) after a police investigation under the Criminal Procedure Code or a departmental inquiry under paragraph 456-III above.

460. Special provisions relating to cases in which police officers are dealt with departmentally as the result of judicial trials or magisterial inquiries are given in paragraphs 462 and 463; those relating to petty punishment cases in paragraph 464. Subject to these provisions the departmental trial of police officers must be conducted in accordance with the following rules :—

I.—As much evidence must first be placed on record as the Superintendent of Police considers necessary to establish a charge under section 7 of the Police Act. This evidence may be either oral or documentary and must be material to the charge. If oral—

- (a) it must be direct; i.e., if it is of a fact which could be seen or otherwise perceived it must be the evidence of the person who said he saw or otherwise perceived it;
- (b) it must be recorded by the Superintendent of Police himself in the presence of the officer charged, who must be allowed to cross-examine the witnesses: provided that statements recorded by a magistrate or a gazetted police officer in the course of a preliminary inquiry into the conduct of the officer charged will be admissible at his departmental trial and need not be recorded again, if—
 - (i) they were originally recorded in the presence of the officer charged and an opportunity was given to him to cross-examine the witnesses; or if—
 - (ii) though not originally recorded in his presence, they are later, by a gazetted police officer, read out to, and admitted by, the witnesses in the presence of the officer charged, and the officer charged is willing that they should be so read out instead of being recorded anew, and the officer charged is then given an opportunity to cross-examine the witnesses.

In any case in which the Superintendent of Police considers that special circumstances, e.g., the fact that the officer charged has absconded or is in prison; or that a witness whose statement has been recorded only by a non-gazetted officer not below the rank of sub-inspector has died or disappeared, justify a departure from rule (b) above he should record reasons for his decision; and in any such case it will be for the Superintendent of Police to show in his finding that the accused officer has not been prejudiced by this departure from the usual procedure.

When documents are relied on in support of the charge they should be put in evidence as exhibits and the officer charged must, before he is called upon to make his defence, be allowed to inspect such exhibits. Documents should not be put in as exhibits when their contents are inadmissible as evidence under rules (a) and (b) above, e.g.; statements of witnesses made to subordinate officers and reports of the findings and opinions of such officers are not evidence and copies of such statements and findings should rarely be given to officers charged; though statements made to subordinate officers may be used by the Superintendent of Police to test the veracity of witnesses, and he is entitled to rely on the opinion of the veracity of witnesses expressed in the finding of a gazetted officer who has held the preliminary inquiry.

II.—The substance of the accusation must be reduced to the form of a charge. This should be as precise as possible so as to give the officer charged full information of the matters alleged against him. The charge should be read to the officer before his oral statement is recorded and, in the case of an officer required to file a written statement, a copy of the charge should be given to him.

III.—The explanation of the officer charged must be recorded by the Superintendent of Police himself in form no. 133, and in all grave cases he must also be invited to file a written statement of defence within such fixed period as the Superintendent of Police may consider reasonable. He should also at this stage be asked whether he wishes to produce any defence witnesses or to file any documentary exhibits. (If so, he must give the names of the witnesses and what he expects each witness or document to prove. The Superintendent of Police should then briefly record his reasons for refusing to hear any witness or to accept, call for or give a copy of any document which he considers unlikely to be material to the issue of the case and should either call the remaining witnesses himself or, at the request of the officer charged, allow him to produce them by a given date.) It should be made clear to the officer charged that he will not be allowed to prolong proceedings by vexatious delays in producing his written statement or defence witnesses and that if he fails to produce them on the dates fixed the case will proceed without them.

IV.—The statements of defence witnesses must be recorded by the Superintendent of Police himself.

V.—The Superintendent of Police himself will write a finding and order. In the finding he must confine himself strictly to the subject of the charge and to the evidence on the record and must discuss every relevant plea raised by the officer charged. After arriving at a conclusion on the facts in issue he should if he has found the charge proved take into consideration the character and previous conduct of the officer charged before deciding what punishment, if any, should be inflicted.

VI.—In all cases in which the Superintendent proposes the dismissal or removal of an inspector, sergeant or sub-inspector, the Deputy Inspector-General must record the statement of the accused officer before he writes his finding. Any such officer appearing before the Deputy Inspector-General to make a statement in his defence will be entitled to travelling allowance at the ordinary rates. He will not be entitled to a copy of the Superintendent's finding before making his statement to the Deputy Inspector-General of Police.

461. Whenever a police officer has been judicially tried the Superintendent must await the decision of the judicial appeal, if any, before deciding whether further departmental action is necessary.

462. It will not be permissible for the Superintendent of Police in the course of a departmental proceeding against a police officer who has been tried judicially to re-examine the truth of any facts in issue at his judicial trial and the finding of the court on these facts must be taken as final.

Thus (a) if the accused has been convicted and sentenced to rigorous imprisonment, no departmental trial will be necessary, as the fact that he has been found deserving of rigorous imprisonment must be taken as conclusively proving his unfitness for the discharge of his duty within the meaning of section 7 of the Police Act. In such cases the Superintendent of Police should without further proceedings ordinarily pass an order of dismissal, obtaining the formal concurrence of the Deputy Inspector-General, when necessary, under paragraph 449(d). Should he wish to do otherwise he must refer the matter to the Deputy Inspector-General of the range for orders.

(b) If the accused has been convicted but sentenced to a punishment short of rigorous imprisonment a departmental trial will be necessary, if further action is thought desirable, but the question in issue at this trial will be merely (1) whether the offence of which the accused has been convicted amounts to an offence under section 7 of the Police Act, and (2), if so, what punishment should be imposed. In such cases the Superintendent of Police should (i) call upon the accused to show cause why any particular penalty should not be inflicted on him, (ii) record anything the accused officer has to urge against such penalty without allowing him to dispute the findings of the court, and (iii) write a finding and order in the ordinary way dealing with any plea raised by the accused officer which is relevant to (1) and (2) above.

(c) If the accused has been judicially acquitted or discharged the Superintendent of Police must at once re-instate him if he has been suspended; but should the findings of the court not be inconsistent with the view that the accused has been guilty of negligence in, or unfitness for, the discharge of his duty within the meaning of section 7 of the Police Act, the Superintendent of Police may refer the matter to the Deputy Inspector-General and ask for permission to try the accused departmentally for such negligence or unfitness.

463. When a police officer of or below the rank of inspector has not been criminally prosecuted but an inquiry into his conduct has been held by a District Magistrate or by a subordinate magistrate whose finding has been accepted by the District Magistrate the accused must be tried departmentally by the Superintendent of Police before he can be departmentally punished, but the Superintendent of Police if he does not accept the findings of the Magistrate shall be bound at the request of the District Magistrate to refer the question to the Deputy Inspector-General of Police.

Orderly Room.

464. Reports about petty breaches of discipline and trifling cases of misconduct by members of the force not above the rank of head constable should, as far as possible, be inquired into and disposed of in the orderly room if the offender is at headquarters. The Superintendent of Police or other gazetted officer in charge at headquarters should hold orderly room in the lines or kotwali on two or more fixed days in the week. The orderly room register, form no. 103, will take the place of section 7 form no. 133 in such cases. The reserve inspector will fill up the first four columns of this register and assemble the persons whose attendance is necessary. The punishments enumerated in paragraph 448 (c), (d), (e), and (f) may be given after proceedings in form no. 103. Any member of the force should be permitted to attend orderly room to make a personal application or representation provided that he can be spared from duty and intimates his intention in writing to the officer to whom he is immediately subordinate. If that officer is satisfied that the applicant is entitled to a personal hearing and grants permission he should initial the intimation and instruct him to attend orderly room with it; if he withholds permission, he must report his reasons in writing to the Superintendent.

Suspension.

465. All police officers are liable to suspension during a departmental or judicial inquiry into a charge of misconduct. The suspension of an officer may be ordered by the authority who has the power to give him any form of departmental punishment, e.g., the Superintendent of Police may suspend an inspector even though he cannot, without concurrence, dismiss him.

The Superintendent should suspend until the trial is over any police officer whose prosecution has been ordered by him or by the Deputy Inspector-General, or who is prosecuted as a result of a magisterial inquiry or to inquire into whose conduct a commission has been appointed under paragraph 469. If a prosecution is instituted by a private person on complaint the Superintendent of Police must decide whether the circumstances of the case justify the suspension of the accused.

466. Head constables and constables under suspension should live in the lines but should not be subject to stricter restraint than officers of their own rank who are in the lines on duty. They should be allowed to leave the lines to consult their legal advisers or to prepare their defence. The same orders apply in the case of sub-inspectors under suspension provided there is suitable accommodation for them in the lines.

467. The authority who orders the re-instatement of a police officer after suspension must, subject to the provisions of the Civil Service Regulations and Fundamental Rules, direct at what rate he is to be paid during the period of suspension and whether the period is to count for pension. Under Fundamental Rule 43 (b) the suspending authority has discretion to fix the amount of subsistence allowance at such figure as he may think fit, subject to the prescribed maximum, but he has no authority under clause (b) of Fundamental Rule 53 to refuse a subsistence grant altogether in any case which falls under that clause.

No horse or conveyance allowance may be paid for the period of suspension without the sanction of the Deputy Inspector-General in cases in which the entertainment of a petition for revision or appeal is within his competence or of the Governor in Council or Inspector-General of Police in other cases. Officers passing orders about the payment of salary need refer the question of paying horse allowance or conveyance allowance to higher authority only if they recommend payment; suspension automatically causes withdrawal of these allowances unless orders are passed to the contrary.

A recommendation for the payment of these allowances should generally be made only in cases in which full salary is paid for the period of suspension and such recommendations should be sanctioned only when the sanctioning authority is satisfied that the officer concerned maintained a horse during the period for which the payment of the allowance is recommended.

Censure by a court.

468. When a court censures the conduct of the police the Superintendent must make an inquiry into the points noticed by the court, except in the case provided for in paragraph 469, and submit a report to the District Magistrate. This course must be followed invariably, even if the Superintendent thinks that the censure is undeserved.

Commission of Inquiry.

469 (1). In all cases in which the court of a Sessions Judge or a court of superior status, in a judgment or in a separate order specifically expresses its opinion that a special inquiry into the conduct of any police officer is necessary, such inquiry shall be publicly conducted by a commission of two officers, one of whom has had judicial experience, and neither of whom belongs to the police department.

Amendment no. 17/III—532-29, dated May 22, 1930, to the Police Regulations, United Provinces.

Substitute the following for the existing paragraph 470:—

(1) When a police officer is sued for damages on the ground of some act done by him in his official capacity and it appears to the Government that his conduct was not open to blame, the Government Pleader will ordinarily be employed to defend the case at the Government's expense. If for any reason the Government consider that the Government Pleader should not be employed the accused officer must engage his own counsel but the Government will pay reasonable expenses for his defence.

(2) When a police officer is accused of committing an offence on the ground of some act done by him in his official capacity and it appears to the Government that his conduct was not open to blame, the accused officer must engage his own counsel, but the Government will pay reasonable expenses for his defence.

(3) Applications for defence by the Government Pleader or at the Government's expense will be made in the first place to the Superintendent of Police who will forward them through the District Magistrate to the Inspector-General. In supporting such applications the District Magistrate should, if the case is a suit for damages, state whether he recommends the employment of the Government Pleader and if not, he should give reasons for his views. When it is recommended that the Government should pay the fees of counsel engaged by an accused officer the District Magistrate should state the rates at which he recommends that payment should be made. In recommending payments to counsel the District Magistrate should ordinarily observe the following principles:—

(a) The maximum rate should be Rs. 50 for a full day's work and Rs. 25 for a half day's work. Work for over three hours in any court or courts will count as a full day's work: work for three hours or under will count as a half day's work.

(b) Not more than one counsel should be paid for each hearing.

(c) No payment should be made for extra expenses incurred by the engagement of a counsel outside the district.

If in any case the District Magistrate considers that these principles would operate unfairly, he should justify departure from them.

(4) Should the orders of the Government not be received before the hearing of the case, the Superintendent of Police should advise the accused officer to apply to the court for an adjournment. If the court proceeds with the case before the Government's orders are received the accused officer should make his own arrangement according to the principles laid down in clause (3).

(5) When a police officer has been sued for damages or accused of committing an offence on the ground of some act done by him in his official capacity and the Government are not satisfied that his conduct is not open to blame, the accused officer must defend himself in the first place at his own expense, but if the suit is dismissed or the officer is discharged or acquitted, and the Government are satisfied that his character is cleared, the Government will defray any reasonable expenses which he may have incurred in defending himself. In deciding what are reasonable expenses, the Government will ordinarily follow the principles laid down in clause 3 of this paragraph.

G. O. no. 2080/VIII—401, dated May 19, 1930.

E. A. C. KING,

*Asst. to Insp'r.-Genl. of Police,
United Provinces.*

(2) On receipt of a copy of the judgment or order expressing the opinion that inquiry is necessary the District Magistrate shall call for the records of the case and shall, after waiting, if he sees fit, for the result of any judicial appeal, report to the Local Government through the Commissioner—

- (a) Whether there is evidence to justify a criminal prosecution;
- (b) his recommendations as to the constitution of the commission, if any.

(3) The Local Government will then decide whether there is sufficient evidence to justify an immediate prosecution of the police officer whose conduct has been noticed and will either order such prosecution or select a commission of inquiry. .

(4) After the appointment of a commission of inquiry the records of the case should be sent to the member of the commission who has had judicial experience. On receipt of the records this member will, in consultation, if practicable, with the other member of the commission, frame formal charges against the police officer concerned; and will send a copy of these charges to the District Magistrate, together with a list of the witnesses whom the commissioners desire to examine. The District Magistrate will supply a copy of the charges to the police officer and will ask him to put in a list of the witnesses whom he wishes to summon. He will then fix a date for the inquiry, informing the commissioners and the police officer, and will arrange for the attendance on that date (or on succeeding dates as may be convenient) of the witnesses specified in the list received from the commissioners, and of the witnesses named by the police officer.

(5) The orders of the commission of inquiry, which shall be communicated to the District Magistrate and to Government, shall take one of three forms. They may either—

- (1) exonerate the accused police officer; or
- (2) express an opinion that he should be prosecuted; or
- (3) express an opinion that he should be punished departmentally, and at their discretion suggest a suitable punishment.

(6) In the first case no further proceedings will be necessary. In the second, the District Magistrate shall order the prosecution of the offending police officer, or move the Sessions Judge or court concerned for sanction to his prosecution, as the law may require. In the third the findings of the commissioners on the questions of fact referred to them shall be final, and the orders passed in the case must be such as accord with these findings. These orders will be passed by the Governor in Council after consideration of the recommendations of the Inspector-General. An appeal will lie to the Governor.

(7) It shall not be necessary to follow the procedure laid down in these rules when a sessions or superior court merely comments on the conduct of the police in any case without specifically expressing its opinion that an inquiry into that conduct is necessary.

(8) Police officers charged before a commission of inquiry will be entitled to legal assistance and if exonerated they will be paid their reasonable legal expenses.

Legal Expenses of Police Officers.

470. When any police officer has been accused of committing an offence or has been sued for damages, on the ground of some act done by him in his official capacity, and it appears to the Local Government that his conduct was not open to blame, the Government law officers will ordinarily be employed to defend the case at Government expense.

When Government is not so satisfied the officer must defend himself at his own expense. But if he is subsequently acquitted, and his character cleared, Government will defray any reasonable charges which he may have incurred in defending himself. The amount considered reasonable must depend to some extent on the nature of each case, but for general guidance it is laid down that in the absence of special circumstances Government will not be prepared to pay a higher fee than that ordinarily payable to a Government pleader, if he had been engaged for the defence.

Before a police officer engages counsel for his defence he should ascertain from his Superintendent of Police whether Government are prepared to engage the service of the Government pleader on his behalf. Police officers who do not follow the correct procedure may have their claims for the refund of legal expenses rejected.

Miscellaneous.

471. The King's police medal and medals granted for field service will be withdrawn from all police officers sentenced to penal servitude or rigorous imprisonment, and forwarded to the Inspector-General's office for transmission to Government or to the Military department.

472. If a police officer, not being on leave, is arrested on a criminal charge in a district other than that to which he is posted, the Superintendent of the district in which he has been arrested shall inform the Superintendent of the district to which he is posted.

473. Every officer leaving the force is entitled to a certificate of discharge in form no. 26. The cause of leaving the force should be stated (e.g., dismissal, resignation, etc.), but the reason of the dismissal, resignation, etc., should not be inserted except at the wish of the applicant.

474. A police officer is entitled to resign on giving two months' notice, but the Superintendent of Police need not insist on this notice if the reason given for wishing to resign is satisfactory and the officer can be immediately spared. The full term of notice should be insisted on if an officer wishes to resign while an inquiry is being made into his conduct and the inquiry may lead to his prosecution or dismissal.

475. Leave must not be granted to any police officer whose conduct is under inquiry, except on medical certificate signed by the Civil Surgeon of the district to which the police officer is posted.

476. It sometimes happens that an officer couples with a request for leave, or for redress of some sort, an offer to resign his appointment if the leave or redress asked for be not granted. Conditional resignations of this kind should ordinarily not be accepted. Orders should be passed only in regard to the application for leave or redress. If the officer is dissatisfied with the orders passed it is open to him to appeal to higher authority or to tender an unconditional resignation.

CHAPTER XXXII.

APPEALS, REVISION, PETITIONS AND COPIES OF OFFICIAL DOCUMENTS.

Appeals.

477. For the rules regulating appeals by gazetted police officers see the rules made by the Secretary of State in Council under sub-section (2) of section 96B of the Government of India Act which apply to civil officers of all classes. The following rules based on the above regulate appeals by officers of the subordinate police service, i.e., by police officers enrolled under section 7 of the Police Act :—

I. Every police officer against whom an order withholding increments of pay or promotion is passed under chapter XXIX or an order of dismissal, removal, suspension, or reduction is passed under chapter XXXI is entitled to prefer one appeal against such order to the authority prescribed below :—

- (a) to the Local Government if the order is an original order of the Inspector-General of Police ;
- (b) to the Inspector-General of Police if the order is an original order of the Deputy Inspector-General or an order of the Deputy Inspector-General concurring with an original order of the Superintendent of Police in a case in which the concurrence of the Deputy Inspector-General is required by rule ;
- (c) to the Deputy Inspector-General if the order is an original order of the Superintendent of Police with which the concurrence of the Deputy Inspector-General is not by rule required.

II.—No appeal lies against an order inflicting any of the petty punishments enumerated in paragraph 448 (c), (d), (e) and (f), or against an order discharging an officer appointed under section 7 of the Police Act if his discharge is ordered before the termination of his probation, or against the dismissal or removal of an officer appointed temporarily under that section. Nor does an appeal lie from a member of the subordinate police against a refusal to select him for promotion to gazetted rank or from a sub-inspector against a refusal to select him for promotion to the rank of inspector.

NOTE.—A sub-inspector who has not been nominated by his Superintendent of Police for promotion to inspectorship can petition the Deputy Inspector-General under the rules relating to petitions given in paragraph 482.

III.—Every officer desiring to prefer an appeal shall do so separately.

IV.—Every appeal preferred under these rules shall contain all material statements and arguments relied on by the officer preferring the appeal shall contain no disrespectful or improper language and shall be complete in itself. Every appeal must be accompanied by a copy of the order which is the subject of appeal. Neither the appeal itself nor copies of orders against which the appeal is made and which are filed with the petition of appeal need be stamped. Copies of other documents filed with the appeal must be stamped under section 6 of the Court-fees Act (see articles 6, 7, and 9 of Schedule 1), unless they have to be stamped under the Indian Stamp Act, article 24, Schedule 1 (vide pages 104 and 105 and 186 and 187 of the United Provinces Stamp Manual).

V.—Every appeal whether the appellant is still in the service of Government or not must be submitted through the Superintendent of Police of the district or in the case of officers not employed on district work, through the head of the office to which the appellant belongs or belonged. Appeals may not be submitted direct to any appellate authority.

VI.—Every appeal shall be preferred within six months after the date on which the officer preferring the appeal was informed of the orders against which he appeals :

Provided that the appellate authority may, at its discretion for good cause shown, extend the period to 12 months.

VII.—The Inspector-General of Police may withhold an appeal to the Government—

- (1) which is an appeal in a case in which under these rules no appeal lies ;
- (2) which does not comply with the provisions of rule VI ;
- (3) which is a further appeal presented after a decision has been given by the appellate authority prescribed in these rules, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case.

The Superintendent of Police or any authority of higher rank may withhold an appeal—

- (4) which does not comply with one or more of the provisions of rule IV or V :

Provided that in every case in which an appeal is withheld the officer preferring the appeal shall be informed of the fact and of the reasons for it.

VIII.—No appeal shall lie against the withholding of an appeal by a competent authority :

Provided that an appeal withheld for failure to comply with the conditions stated in rule IV or V shall not be withheld if it is re-submitted in a form which complies with these rules within the original period of appeal.

478. When the appellate authority admits the appeal and sends for the record all the papers should be submitted, which were considered by the officer against whose order the appeal is made, including the character and service-roll of the officer punished.

Copies of orders passed on appeal which are furnished to the Superintendent of Police by the appellate authority should invariably be recorded with the departmental punishment file and should be submitted therewith when the record is called for.

479. In cases of successful appeal against orders of dismissal the appellate authority should declare whether the period of enforced absence from duty is to count towards pension.

NOTE.—The Assistant to the Inspector-General in charge of railway police has all the power and duties of a range Deputy Inspector-General in regard to the matters dealt with in this chapter.

Revision.

480. The power of revision may, in the case of all orders against which an appeal would lie under paragraph 477-I, be exercised *suo motu* by the authority to whom the appeal would lie or by any authority superior to that authority.

480A. An officer whose appeal has been rejected by any authority subordinate to the Local Government is entitled to submit an application for revision to the authority next in rank above that by which his appeal has been rejected. On

such an application the power of revision may be exercised only when, in consequence of some flagrant irregularity there appears to have been material injustice or miscarriage of justice.

The procedure prescribed for appeals applies also to applications for revision. An application for revision of an order rejecting an appeal must be accompanied by a copy of the original as well as of the appellate order.

481. A punishment may be enhanced by—

- (a) an appellate authority on appeal or in exercise of revisionary powers ; or
- (b) any authority superior to the authority to whom an appeal would lie, in exercise of revisionary powers:

provided, in either case, that before enhancing a punishment, the competent authority must call upon the officer punished to show cause why his 'punishment should not be enhanced and that an order by an appellate authority enhancing a punishment will count as an original order for the purpose of appeal.

Petitions.

482. A police officer who has any official grievance other than one covered by the rules relating to appeals and applications for revision given above may present a petition under the following rules :—

- (a) The petition should, in the first place, be addressed to the officer of the lowest rank who is empowered to pass the desired order. A petition addressed to a higher authority in contravention of this rule will be summarily rejected.
- (b) Police officers subordinate to the Superintendent, even if they are on leave, may not present any petitions direct to officers superior to the Superintendent; they must submit their petitions through the Superintendent. The Superintendent is obliged to forward all such petitions provided that they are framed in temperate and respectful terms. If he rejects a petition because it is improperly written he should return it to the petitioner with an order to this effect endorsed on it. If he has any knowledge of the subject-matter he should when forwarding the petition make a report explaining his action or expressing his opinion.
- (c) When the Superintendent of Police has rejected a petition on a matter which is within his competence the petitioner may submit a further petition to the Deputy Inspector-General in which case he must attach to this petition a copy of the Superintendent's order. If this second petition be rejected by the Deputy Inspector-General an application to the Inspector-General against the orders of the Deputy Inspector-General will lie only for revision. The Inspector-General will interfere in such cases only when in consequence of some flagrant irregularity material injustice appears to have been done.
- (d) Petitions addressed to magistrates must be stamped with Court-fee stamps of eight annas. Other petitions need not be stamped.
- (e) Petitions to the Government should take the form of memorials and be prepared according to the rules contained in the Manual of Government Orders. For instructions relating to memorials to the Secretary of State in Council and to the Governor-General in Council, see Home Department notification, Public no. F472-II—23, dated June 21, 1924. For the circumstances in which the Inspector-General is empowered to withhold petitions addressed to the Local Government, see the Manual of Government Orders.

- (f) Vernacular petitions should always be accompanied by English translations.
- (g) No officer may submit a petition in respect to any matter connected with his official position unless he has some personal interest in the matter.
- (h) No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer unless it is submitted by the officer himself.

Copies of Official Documents.

483. An officer is entitled to receive free of charge one copy only of any order against which an appeal, application for revision or petition lies under the rules in this chapter. Thus in cases in which an application lies for revision of an appellate order, a copy of that order will be given free but the fresh copy of the original order which must also accompany the application must be paid for at the usual rates.

NOTE.—The order which is the subject of appeal in a departmental punishment case includes for the purpose of this paragraph as well as for that of paragraph 477, rule IV, the charge or charges which are the subject of inquiry and the finding of the Superintendent as also the finding of the Deputy Inspector-General in cases in which that officer's concurrence is required. In a case in which the concurrence of the Deputy Inspector-General with an order of punishment is required, free copies of all these papers should be given, if applied for, immediately after (but in no case before) the Superintendent has issued final orders on the return of the file from the Deputy Inspector-General.

484. An officer is entitled on payment at the rates given in paragraph 485 to copies of all papers material to an appeal, application for revision or petition which lies under the rules in this chapter except confidential papers the publication of which would be prejudicial to the administration.

NOTE.—Officers making reports in punishment cases should, as far as possible, exclude from them all matters the publication of which might be prejudicial to the administration.

485. Except as required by law or regulations, copies of police official correspondence and records should rarely be given to private individuals or bodies. It would, for instance, be improper to communicate information collected by the police for official purposes to a commercial firm, to be used for advertising purposes. See also Manual of Government Orders.

Whenever a Superintendent of Police is in doubt as to the propriety of granting copies of official documents otherwise than as required by law or rule he should refer to the Inspector-General for orders. When copies are given to private individuals or bodies payment must be made for them at the prescribed rates.

The following are the copying charges prescribed for police records:—

	Rs.	a.	p.
For copying 1,450 English words	1 0 0
For examining 1,450 English words	0 8 0
For copying and examining 1,840 vernacular words	1 0 0

NOTE.—These sums are fixed also as minimum charges for separate transactions. When several copies are applied for together or supplied together there should not be a separate minimum for each but these rates should be applied to the total number of words.

These fees will be paid by means of court-fee stamps. The head clerk must certify under each copy the number of words and the fee charged. An amount equivalent to the fee realized will be paid to the copyist and examiner from head "Allowances and honoraria" under "26—Police—District Executive Force" under the orders of the Superintendent of Police.

A court-fee stamp of one anna must be affixed to an application for a copy.

Copies need not be written on impressed (copy stamp) paper.

CHAPTER XXXIII.

TRANSFERS.

486. Transfers of gazetted officers are made by the Governor in Council.

The Inspector-General has authority to transfer police officers not above the rank of inspector throughout the province.

The Deputy Inspector-General of the range may transfer inspectors, sub-inspectors, head constables, naiks and constables within his range, and to other ranges with the consent of the other Deputy Inspectors-General concerned; provided that the postings and transfers of European inspectors in hill stations will be decided by the Inspector-General.

All these transfers will be notified in the gazette by the authority ordering them.

Transfers which result in officers being stationed far from their homes should be avoided as much as possible; but officers above the rank of constable should ordinarily not be allowed to serve in districts in which they reside or have landed property. In the case of constables also the numbers must be restricted as far as possible.

No officer who has completed his term for pension, or is likely to retire shortly, should be transferred, except in case of emergency.

487. The Inspector-General of Police may without the sanction of Government—

- (a) transfer to foreign service within the province any officer whom he can, without reference to Government, appoint or transfer in the ordinary course of administration;
- (b) similarly sanction transfers to temporary appointments outside the province; and
- (c) sanction in case (a) an extension of the period of transfer.

488. With the consent of the Superintendents concerned mutual exchanges may be arranged by head constables of the same grade, and by naiks or constables. The proposed exchanges shall be reported to the Deputy Inspector-General for publication under his authority in the *Police Gazette*. Travelling allowance will not be payable on the occasion of such transfers.

489. The Superintendent when proposing a transfer from the district should send the character and service roll of the officer to be transferred.

490. On receipt of an order of transfer of a subordinate officer to another district, the Superintendent will arrange to relieve him of his duties within ten days.

Officers transferred are entitled to joining time, but the Superintendent may not grant leave to an officer under orders of transfer.

An inspector received on transfer from another district is entitled to sign a certificate of taking over charge from the date of arrival in the new district. If the officer to be relieved cannot be present at headquarters, the charge certificate should be signed for him by the Superintendent of Police or, in his absence, by an Assistant Superintendent of Police or the Deputy Superintendent of Police. The effect of this will be that an officiating officer will be considered to have been

reverted and, in the case of a permanent incumbent, his joining time or leave or discharge, as the case may be, will be counted from the date on which the relieving officer takes over charge.

491. The Superintendent may transfer within his district inspectors and officers of lower rank in the constabulary, obtaining the Magistrate's sanction in the case of inspectors and officers in charge of police stations.

Officers in charge of police stations shall ordinarily be retained in their charges for at least two years. Subordinate officers at police stations should not be transferred without good reason. No officer liable to station duty shall be withdrawn from that duty for a longer period than one year, except in Kumaun where the withdrawal of naiks for two years at a time from station duties is permitted.

492. Constables of less than two years' service may be transferred by the Superintendent of Police from the armed to the civil police or *vice versa*. As laid down in paragraph 383, foot police constables may be transferred to the mounted police at their own request. Any civil police constable of more than two and less than ten years' service may be transferred to the armed police and *vice versa* by the Superintendent for a period not exceeding six months in any one year (see paragraph 557). All armed police constables of over two years' service and every civil police constable of over two and under ten years' service may be transferred to the other branch of the force for any period with the permission of the Deputy Inspector-General.

For transfers from the district police to the Government Railway Police see paragraph 45 of the Government Railway Police Manual. In all other cases the transfer of police officers from one branch of the force to another or from the police services of other provinces to the United Provinces Police requires the sanction of the Inspector-General.

493. Village chaukidars may not be transferred except with their own consent.

PART IV.

Training.

CHAPTER XXXIV.

TRAINING OF GAZETTED OFFICERS.

Assistant Superintendents.

494. Probationary Assistant Superintendents undergo a course of training at the provincial Police Training School which lasts a year for officers appointed in India and eighteen months for those appointed in England.

The rules for their training up to the time they leave the training school as also for their drill and equitation courses with regiments after they leave the school, and for their confirmation and discharge are given in the provincial Police Training School pamphlet, Part I.

495. The practical training of Assistant Superintendents in districts after they leave the school should be carried out in the following manner :—

(i) *Office work.*

(a) *English.*—Officers will be instructed in all the duties of the district police head clerk and accountant as well as in those of the Superintendent of Police in connection with his English office. This will include instruction in the method of conducting correspondence, drafting special reports, keeping accounts, preparing pension papers, pay bills and similar documents, maintaining the English crime register and compiling and submitting criminal and other returns. To complete their training in this branch of police work, officers will be put in actual charge successively of the head clerk's and accountant's work for such period as the Superintendent of Police may consider necessary.

(b) *Vernacular.*—Officers will be required to deal with police diaries and reports, to make précis of vernacular papers for the information and orders of the Superintendent and to translate letters, orders, descriptive rolls and similar papers for issue to police stations. The Superintendent should make over to Assistants under training the diaries and reports of one or two police stations as they come in and require them to note on such diaries and reports and to bring them up to him. The Superintendent should then see that they have understood the papers and pass orders on them in their presence.

(ii) *Duties of reserve inspector.*

Officers will be thoroughly instructed in the duties of reserve inspector. They must learn to maintain the magazine, clothing, duty and other registers, to distribute the daily duties of the reserve and to supervise drill and musketry instruction, the relief of escorts and the inspection of guards. To complete their instruction they will be placed in actual charge of the reserve inspector's duties for such period as the Superintendent of Police may consider necessary.

(iii) Investigations.

Officers will be deputed to accompany selected investigating officers and to prepare notes and diaries merely for the Superintendent's perusal. Afterwards they should themselves investigate petty cases, submitting diaries as required by section 172, Criminal Procedure Code, and Chapter X of these Regulations. Finally, officers will be put in actual charge of a city police station for twenty days. If there is no accommodation for them at the police stations they will be required to attend for at least nine hours a day, the times of attendance being fixed by their Superintendents of Police. During the camping season they will camp near some important rural police station for ten days and take complete charge of it for that period.

(iv) Departmental Cases.

Officers should be deputed to make preliminary inquiries in departmental punishment cases.

(v) Prosecution of Cases.

Officers should be made to put up notes on decided cases for the information and orders of the Superintendent, especially on cases in which irregularities or illegalities have been committed; they should be required to précis the evidence and write findings. Later, they should be made to prepare cases for prosecution under the guidance of a competent officer. They should frequently attend courts to learn procedure and practice.

(vi) Inspections.

The Superintendent of Police will require officers under training to accompany him at the inspection of police stations, offices, arms and ammunition shops. Later, officers should be required to make independent inspections submitting their reports for the Superintendent's orders.

496. No examination in practical work is prescribed but before an Assistant Superintendent is eligible to hold charge of a sub-division of a district or to officiate in charge of a district he will be required to obtain the infantry and cavalry drill certificates mentioned in paragraph 8 of the Rules for the Police Training School, Part I, and certificates signed by the Superintendent and countersigned by the Deputy Inspector-General of the range to the effect that he can—

- (a) pass suitable orders on general and case diaries;
- (b) supervise an investigation intelligently;
- (c) inspect a police station efficiently;
- (d) supervise the work of the police accountant efficiently.

The Deputy Inspector-General will question the Assistant Superintendent and examine his work before countersigning these certificates.

Deputy Superintendents.

497. Deputy Superintendents of Class B (appointed on promotion) will be on probation for one year and will, on appointment, be posted to districts. They are required to undergo no training and to pass no examinations, but they will be required to obtain a certificate signed by the Superintendent of Police and countersigned by the Deputy Inspector-General of the range to the effect that they can supervise the work of the head clerk and the accountant efficiently and are well acquainted with the system of police accounts. The certificate to be obtained by officers other than those promoted from the rank of reserve inspector will also include a clause to the effect that they can supervise the work of the reserve inspector efficiently.

498. The rules for the training and examination of Deputy Superintendents of Class A (directly appointed) are given in Chapter II of the Provincial Police Training School pamphlet, Part I.

After leaving the training school they will be further trained in districts in the same manner as laid down for Assistant Superintendents and will be required to obtain the certificates of efficiency in practical working prescribed in paragraph 496 *supra*.

They will be on probation for two years and will then, if they have qualified in all subjects at the departmental examination for junior officers and have been favourably reported on, be confirmed. The services of any Deputy Superintendent who fails to pass the departmental examinations at four attempts will be dispensed with, provided that if in the opinion of the Governor in Council the failure to qualify has been due to serious illness or other unavoidable cause, and the officer be well reported on, the Governor in Council may sanction his appearance at one more examination. No further extension will be allowed in any circumstances.

499. Reports on probationary Deputy Superintendents of both classes will be forwarded by Superintendents of Police through District Magistrates and Commissioners of divisions to the Inspector-General of Police, who after consulting the Deputy Inspector-General of the range, will submit them to the Chief Secretary to Government with his recommendations.

CHAPTER XXXV.

TRAINING OF INSPECTORS AND SERGEANTS.

500. Every European or Anglo-Indian inspector and every Indian reserve inspector must have a thorough knowledge of drill, and of the duties for which a reserve inspector is responsible under Chapter II. To be eligible to hold charge of the headquarters police office in the absence of all gazetted officers a reserve inspector must also possess a thorough knowledge of English and be acquainted with the police system of correspondence and accounts.

European and Anglo-Indian Inspectors.

501. No sergeant will be eligible for permanent promotion to the rank of inspector, and no European or Anglo-Indian inspector will be confirmed in that rank, until he has passed an examination held under the following rules; provided that any officer who may have been superseded under this rule will, if he subsequently passes the examination within two years of his appointment, regain his original seniority on being confirmed in the rank of inspector:—

I.—The examination will be held twice a year (usually in May and December) at the Police Training School, Moradabad.

II.—The committee of examiners shall be nominated by the Inspector-General of Police and shall consist of a Superintendent, a Deputy Superintendent, and a reserve inspector.

III.—All correspondence connected with the examination will be conducted by the Assistant to the Inspector-General of Police who will be *ex officio* secretary to the examination committee.

IV.—There will be three tests—

- (i) vernacular,
- (ii) departmental,
- (iii) drill.

A candidate need not be re-examined in any test which he has once passed.

V.—For the purposes of the vernacular test candidates will be required—

- (a) to converse correctly and fluently in the vernacular with two or three Indians selected by the committee, on ordinary topics likely to arise in the discussion of official business;
- (b) to make an abstract in English of the contents of a police vernacular paper read out to them;
- (c) to dictate an order *viva voce* in the vernacular on the police vernacular paper referred to in (b).

The maximum number of marks obtainable will be 175, i.e., (a) 75, (b) 50,

(c) 50, and an aggregate of 100 marks must be obtained to pass.

The whole of the vernacular test will be conducted by the committee and no answer papers will be sent to the Inspector-General.

VI.—The departmental test will consist of a paper set from—

- (a) the Indian Penal Code, Chapters II to VIII, X, XII to XX, XXII and XXIII;

- (b) the Code of Criminal Procedure, Chapters I, IV, V, VI, VII, IX, XIII, XIV, XVA, XXXVIII, XXXIX and XLIV A, and sections 6, 10, 13, 14, 15, 22, 25, 29A, 32, 34A, 107 to 110, 133, 134, 142 to 145, 275, 337, 339, 344, 386, 387, 512, 523, 550, 551, 560, 561 and Schedule II in respect of arrests without warrant and bailable and non-bailable offences;
- (c) police rules relating to the duties of a reserve inspector, and to investigations;
- (d) the Police Act, V of 1861.

The questions will be set and dictated to the candidates by the committee. They will be designed to test a candidate's practical knowledge rather than his powers of memory. Candidates will be allowed the use of books in the examination room.

Marks will be allotted by the committee, and the papers written by the candidates will be sent to the Inspector-General with the marks given for each question noted thereon. Full marks will be 175, the minimum required to pass, 100.

The committee will also examine each candidate *viva voce* in the subjects prescribed above. Full marks will be 50, the qualifying minimum, 30.

Failure in either the paper or the *viva voce* examination entails failure in the whole test.

VII.—Drill—

The committee will see each candidate drill the men in the reserve lines, and may test his knowledge of the contents of the drill-book, and of the rules for guards and escorts in any practical way they think fit. They will decide whether he has passed or failed, but will allot no marks.

VIII.—The committee will send their report of the result in a sealed cover to the address of the Assistant to the Inspector-General of Police.

502. Every European or Anglo-Indian officer who holds a substantive or officiating appointment as inspector or sergeant and has been holding it for nine months or more on the date on which the examination is held, and has not yet passed must appear at the examination unless he is excused on the plea of illness supported by a medical certificate or of urgent public business certified by the Superintendent of Police.

The names of candidates whose appearance is compulsory or optional will be notified in the *Police Gazette*.

503. Any sergeant or European or Anglo-Indian inspector who fails to pass this examination within two years of his first appointment to the police will ordinarily be discharged; provided that this period may be extended by one year in very special cases by the Inspector-General, and that it will be open to the Inspector-General to retain for employment as a sergeant permanently an officer who cannot pass the examination but has special qualifications for that post.

A probationary sergeant who is considered unlikely to be fit for confirmation may be discharged at any time during his probationary period with the sanction of the Inspector-General of Police. If a Superintendent of Police considers that there are sufficient grounds for the discharge of a probationary sergeant he must report the case to the Deputy Inspector-General of Police or in the case of

the Government Railway Police to the Assistant to the Inspector-General in charge of the Government Railway Police together with his reasons and the probationer's explanation. The Deputy Inspector-General or the Assistant to the Inspector-General in charge of the Government Railway Police need not record a further statement of the probationer if he considers this unnecessary but shall refer the case with a recommendation for the orders of the Inspector-General which will be final.

Sergeants.

504. The training of sergeants will include a course at the provincial Police Training School (see Chapter IV, Part II of the provincial Police Training School pamphlet), as well as practical instruction in district reserve and railway police work. They will also under the orders of the Inspector-General attend a course of training in drill with a British Infantry regiment.

Indian reserve inspectors. *Janh*

505. An English-knowing sub-inspector of the civil police who on passing out of the Police Training School is recommended by the Principal as possessing special qualifications for ultimate promotion to the rank of reserve inspector will be put through a course of training lasting four years. This course of training will consist of the following:—

- (a) He will be posted to a selected district and the Superintendent of Police of that district will be asked to supervise his training.
- (b) During his first year of probation he will be given two periods of three months each in the reserve lines, one of three months in the kotwali police station, and one of three months in the prosecuting inspector's office; during this last period he will attend all morning parades in the lines.
- (c) During the second year of his probation he will spend eight months in the reserve lines and four months in the kotwali police station.
- (d) If at the end of two years the range Deputy Inspector-General considers him likely to make a good reserve inspector, he will be sent to an Indian Infantry regiment for a six month's further course of training in drill.
- (e) If he obtains a satisfactory certificate from the regiment, he will be sent to a small district in the range to which he belongs to replace the armed police sub-inspector who will be sent to a larger district in the same range to undergo intensive training as an extra armed police sub-inspector.

506. Any English-knowing sub-inspector of the civil police who has been confirmed in his appointment may be recommended by the Superintendent of Police for promotion to the rank of reserve inspector. If he is approved by the range Deputy Inspector-General and the Inspector-General—

- (a) he will be posted to a selected district and the Superintendent of Police of that district will be asked to supervise his training;
- (b) during the first six months he will be attached to the reserve lines and be instructed in drill and in the literary duties of a reserve inspector;
- (c) if at the end of the six months he is reported by the Superintendent of Police to have acquired a good knowledge of drill, to have given satisfaction in all respects and to have generally shown that he is likely to make a good reserve inspector, the range Deputy Inspector-General will arrange to send him to an infantry regiment where he will undergo a six months' further course of training in drill;
- (d) if he obtains a satisfactory certificate from the regiment, he will be sent to a small district in the range to which he belongs to replace the

armed police sub-inspector who will be sent to a larger district in the same range in the manner described in paragraph 505.

507. Reports on the progress of officers referred to in paragraphs 505 and 506 above will be sent by the Superintendent of Police to the range Deputy Inspector-General every six months, and, at the end of four and two years, respectively, the Superintendent of Police will report finally to the Deputy Inspector-General whether the officers concerned are in his opinion fit for ultimate appointment as reserve inspector. If an officer is considered fit his name will be brought on the list of sub-inspectors approved for appointment as reserve inspector, and he will be allowed to act in vacancies in accordance with his order of seniority.

508. A Superintendent of Police may at any time recommend an English-knowing armed police sub-inspector or mounted police sub-inspector for promotion to the rank of reserve inspector. For an armed police sub-inspector there will be no special course of training; he will be appointed to officiate as reserve inspector in his turn and, if he gives satisfaction, he will be confirmed. An English-knowing mounted police sub-inspector who is thought to be qualified for promotion to the rank of reserve inspector will undergo a preliminary course of infantry drill in the reserve lines and will then be sent to an Indian Infantry regiment for a six months' further course of training in infantry drill. If he obtains a satisfactory certificate, he will be treated in the same manner as an English-knowing armed police sub-inspector similarly selected.

509. It is intended that ultimately 20 posts of reserve inspector in districts should be filled by Indian officers.

Prosecuting inspectors and sub-inspectors.

510. The qualifications for the post of prosecuting inspector are:—

- (1) three years' service as an investigating officer;
- (2) a thorough knowledge of English;
- (3) the passing of the LL.B. Examination of the Allahabad University in the Indian Penal Code, the Criminal Procedure Code and the Evidence Act with a minimum of 30 per cent. marks in each paper and an aggregate of 45 per cent. on all.

No examination other than (3) is prescribed.

511. No officer will be appointed a prosecuting sub-inspector unless he possesses the first two qualifications. Sub-inspectors who have not obtained the third are not ordinarily entitled to draw the allowances sanctioned for prosecuting sub-inspectors. If there is no qualified prosecuting sub-inspector in a district to fill such a post, the Superintendent of Police should apply for a qualified officer to the Deputy Inspector-General of the range. If the Deputy Inspector-General cannot supply an officer, an unqualified officer may be allowed to draw the allowance; provided that he appears at the next LL.B. Examination. If he fails to pass the examination he will cease to draw the prosecuting sub-inspector's allowance.

Superintendents of Police are empowered to give permission to sub-inspectors including probationers to appear at the examination.

Circle inspectors and Indian divisional inspectors.

512. Circle inspectors and Indian officers promoted to the rank of divisional inspector go through no course of training and are required to pass no examinations. The latter are, however, required to have a practical knowledge of railway police work before they can be promoted.

53. Five posts of divisional inspector in the Government Railway Police are filled by Indian officers.

CHAPTER XXXVI.

TRAINING OF SUB-INSPECTORS OF THE CIVIL POLICE.

514. Sub inspectors of the civil police pass through the provincial Police Training School. For their training at the school, their subsequent appointment as sub-inspectors, their posting to districts, and the manner in which their relative seniority while in the lowest grade of sub-inspectors is determined, see rules for the provincial Police Training School, Part II.

515. From the date of their first posting to districts civil police sub-inspectors will be on probation for two years, after which, if they have given satisfaction, they will be confirmed and will be eligible for grade promotion under the orders contained in paragraph 417.

516. During the period of their probation they will be required to undergo a course of practical training as follows in all branches of police work :—

I.—They will be attached to police stations at or near headquarters where they will—

- (a) learn police station routine, including the distribution of duties, the preparation of reports, general diaries and all other station registers, the methods of surveillance and patrol and the filling in of forms ;
- (b) receive instruction in investigation, the preparation of case diaries and inquest reports and the general duties of station officers—each probationer being made to accompany a competent officer on at least six investigations ;
- (c) be given simple cases to investigate independently.

During this period of their training they will be under the special supervision of the inspector in charge of the city or circle to which they are posted and he will report periodically on the work of each probationer subordinate to him.

II.—They will spend some weeks in the office of the Superintendent of Police where they will work under the orders of the Superintendent, preparing abstracts of diaries and other papers for orders.

III.—They will be attached for some weeks to the prosecuting inspector's office where they will be instructed in the examination of police papers in cases sent for prosecution, and in the prosecution of cases under the supervision of the prosecuting inspector ; during this period they should also be instructed in the work of the criminal tribes sub-inspector.

IV.—They will receive instruction in drill, kit inspection, posting and relief of guards, lining of streets, parking of carriages and other miscellaneous duties in the reserve lines. Probationary sub-inspectors at troop headquarters must also keep themselves efficient in equitation, and should attend riding school periodically.

517. The Superintendent must prepare a programme for each probationer, fixing the station to which he is to be attached for the purposes of paragraph 516, rule I above, and the periods for which he is to be attached to offices and the lines for the purposes of rules II, III, and IV. These periods need not follow one another in the order given and programmes should be so arranged that too many probationers are not receiving instruction at the same place at the same time. Any part of the course laid down in paragraph 516 may be omitted or shortened in the case of promoted head constables who before being sent to the Police Training School have served in the offices of the Superintendent of Police or prosecuting

inspector or have acquired a proper knowledge of drill, kit inspection, and other duties in the reserve lines and are in the opinion of the Superintendent of Police already competent in these respects.

518. As soon as the Superintendent of Police is satisfied that a probationer has been sufficiently trained in all the duties enumerated in paragraph 516, he may post him out to a police station under a selected station officer to perform the ordinary duties of a subordinate sub-inspector under paragraph 50.

519. For each probationer the Superintendent of Police will keep up a training sheet on which he should collect all the material necessary to enable an opinion to be formed, at any time, as to the probationer's progress, and ultimately as to his fitness for confirmation. In this sheet should be entered summaries of the periodical reports of inspectors under whose supervision the probationer has been trained and notes by the Superintendent of Police on the merits of the probationer's investigations, and on any other matters connected with his work and conduct, which may come to notice from time to time. At his district inspections the range Deputy Inspector-General should see every probationer who has been on probation for more than six months, together with his programme of work and training sheet and should record his opinion of him on the training sheet.

520. The Deputy Inspector-General of the range may of his own authority confirm probationers at the end of their two years' probation, but if he considers any probationer unfit for confirmation he must report the case to the Inspector-General, together with his reasons and the probationer's training sheet and explanation. The Inspector-General's orders will be final. A probationer who is not confirmed will be discharged from the service or, if a promoted head constable, reverted to his former rank. A probationer who is considered unlikely to be fit for confirmation may be discharged or reverted to his former rank at any time during his probationary period with the sanction of the Inspector-General of Police.

521. Deputy Inspectors-General must see and question probationary sub-inspectors before confirming them and may pass orders of confirmation at any time within a period of three months either before or after the date on which the two years' probation expires, but confirmation will, in every case, take effect from the date on which the probationer was appointed to a district as a sub-inspector.

CHAPTER XXXVII.

TRAINING OF HEAD CONSTABLES, NAIKS, AND CONSTABLES.

Head constables and naiks, civil police.

522. No constable who has not passed the examination prescribed in paragraph 523 shall be promoted to the rank of naik or head constable, civil police. There are, however, two exceptions to this rule—

- (a) Constables who have not passed the examination but have satisfied the Superintendent of Police that they can read and write simple and legible Hindi or Urdu may be promoted to the rank of naik, and later to that of head constable, for employment in charge of outposts and beat duty in towns.
- (b) The Superintendent of Police may promote to these ranks for the same purpose men so completely illiterate as to be unable to qualify even under clause (a) above ; provided that—
 - (1) the total of completely illiterate civil police naiks and head constables in the district promoted under clause (b), may not exceed 8 per cent. of the total number of posts of head constables and naiks in charge of outposts and beat duties in cities,
 - (2) such promotions may be made only on the ground of approved merit, detective ability and long service.

NOTES.—1. Constables of the civil and armed branches are equally eligible for promotion under clauses (a) and (b) above.

2. Promotion to the rank of naik under clauses (a) and (b) above will be entirely by selection but an illiterate or semi-literate naik will be eligible for promotion to the rank of head constable by seniority as determined by the date of his confirmation as naik in the ordinary way, subject in the case of promotions under clause (b) to proviso (1) of that clause.

523. The departmental examination of constables desirous of qualifying for promotion to the rank of naik, civil police, will be held annually, about the middle of the year, and constables of both armed and civil branches will, with the permission of the Superintendent of Police, be eligible to sit for it. It will be conducted by the Superintendent of Police assisted by a small committee of gazetted officers and inspectors, only gazetted officers however being permitted to allot marks on papers. There will be four tests—

- (1) A written paper on Chapters II, IV, V, VIII, X, XII to XX, XXII, and XXIII of the Indian Penal Code, and Chapters I, IV, V, VI, VII, IX, XIII, XIV, and XXXIX and sections 134, 143, 144, 145, 337, 344, 512, 550, 551, 560, and 561 of the Code of Criminal Procedure; also Schedule II of that Code in so far as it relates to the question whether particular offences are cognizable or non-cognizable and bailable or non-bailable.

- (2) A written paper on the following :—

Arms Act (XI of 1878)—Sections 5, 6, 12, 13, 14, 16, 19, 20, 21, 22, 25, 28, and 30;

Cattle-Trespass Act (I of 1871)—Sections 10, 11, 19 and 24;

Excise Act (U. P. 1910)—Sections 3, 7, 16, 17, 20 to 23, 42, 43, 48, 49, 50, 53 to 65 and 69.

Lunatic Asylums Act (XXXVI of 1858) — Sections 4 and 5 ;
 Sarais and Paraoes Act (XXII of 1867) — Sections 2, 5, 7, 8, 9, 12 and 14 ;
 Treasure Trove Act (VI of 1878) — Sections 4, 20 and 21 ;
 Gambling Act (III of 1878) — Sections 3 to 6, 13 and 15 ;
 Opium Act (I of 1867) — Sections 3, 4, 9, 14 to 18, 20, 21, and 22 ;
 Stage Carriages Act (XVI of 1851) — Sections 1, 2, 5 to 9, 11, and 12 ;
 Chaukidari Act — Sections 3 to 6, 8 to 11 and 13 ;
 Police Act — The whole ;
 Criminal Tribes Act (VI of 1921) — The whole ;
 Station Officer's Handbook; volume I.

(3) A *viv i voce* examination in practical knowledge of police work.

(4) A test of literacy in which candidates will be required to read fluently petitions written in the Urdu and Nagri characters and to write in Nagri from dictation. Thirty marks will be allotted for Urdu reading and writing as shown in papers (1) and (2) and 20 marks for Nagri reading and writing.

The full marks allotted to each of the above four tests will be 50. In the first three tests the qualifying minimum will be 25, in reading and writing Urdu 20, and in reading and writing Nagri 10.

A candidate who does not pass in all subjects at two consecutive annual examinations must pass in all subjects again.

Successful candidates will be required to satisfy the Superintendent of Police of their efficiency in platoon drill and musketry and in practical duties such as street lining, carriage parking, relief of guards and sentries and the use of whistles, before their names can be entered in the list of constables qualified for promotion to the rank of naik.

Candidates who fail in drill, musketry, and practical duties may be re-examined in these subjects at any time ; they need not be re-examined in the literate test, provided that they pass in drill, musketry, and practical duties within two years of having passed that test.

524. Seniority on the list of constables fully qualified for promotion to the rank of naik, civil police, shall be determined —

- (1) amongst those who have passed the departmental examination in different years — by the year in which they have passed ;
- (2) amongst those who have passed in the same year — by length of service ; provided that constables who passed on the same date before January 1, 1925, but did not obtain the same number of marks will retain their relative seniority according to the number of marks obtained.

Only the year in which the departmental examination was held will be considered, and the particular date of the year in which a candidate has passed will not affect his seniority.

The date of passing the test of efficiency in drill and practical duties (according to the conditions mentioned above) and the marks obtained in these tests will not be taken into consideration for determining seniority.

Head constables and naiks, armed police.

525. No constable shall be promoted to the rank of naik or head constable, armed police, until he has undergone a course of training with an Indian infantry regiment and obtained a drill certificate in form no. 96 signed by the Adjutant of

the regiment and accepted by the Deputy Inspector-General of the range. Candidates for promotion must also before being sent to a regiment for training satisfy the Superintendent of Police of their efficiency in musketry and the other practical duties specified in paragraph 523. When no fully qualified constable is available in a district for promotion in a vacancy, a reference must be made to the Deputy Inspector-General who will promote a fully qualified constable from another district.

526. The Superintendent of Police will put up before the Deputy Inspector-General at the time of that officer's rains inspection all constables whom he considers fit to be sent to a regiment for training and will give him their names. Only men approved by the Deputy Inspector-General may be sent for training. The men selected must be of good caste and physique, smart, intelligent, able to read and write Urdu, Hindi or Gurmukhi and likely to become good officers and drill instructors. They must not be over thirty-five years of age or have more than fifteen years' service. The proportion of Brahmans should be small and preference should be given to constables who have passed the promotion examination prescribed in paragraph 523.

Constables may be sent for training to service battalions only and not to training battalions. The names of military stations to which constables belonging to different districts may be sent will be found in notification no. 5604/I(a)—40-1924, dated September 19, 1925, published in the *Police Gazette*, dated September 23, 1925.

527. The range Deputy Inspector-General will keep a list of the men approved by him and will arrange with the regiments concerned to have them trained in batches from certain dates. When men from more than one range have to be trained by the same regiment, the number to be sent at one time from each range will be decided in consultation by the Deputy Inspectors-General concerned. When arrangements are complete the Deputy Inspector-General will inform each Superintendent of the number of men to be sent from his district and of the dates on which they should be sent.

528. Men sent for training will report themselves to the Superintendent of the district in which they are to be instructed and that officer will be generally responsible for them while they are under training. A certificate in form no. 96 will be sent with each man, to be filled in by the Adjutant of the regiment. The period for which men remain under instruction will be arranged by the Deputy Inspector-General with the regimental authorities but the Superintendent may, with the concurrence of the Deputy Inspector-General recall any man for sufficient reason, before his training is complete. At the end of the course of instruction the men will return to their districts and the certificates they have obtained must then be sent by the Superintendent of Police to the Deputy Inspector-General of the range either for acceptance as a sufficient qualification for promotion, or for rejection. A copy of the certificate with the Deputy Inspector-General's order of acceptance or rejection noted in red ink shall be made in each man's character roll. A constable who fails to obtain a qualifying certificate from a regiment or whose certificate is rejected by the Deputy Inspector-General may not be sent a second time for training.

529. As soon as a constable returns to his district after training, a fee of Rs. 2 shall be paid for him out of the contract grant to the regiment in which he has been trained.

Constables.

530. Constables are of two classes, A and B. Class A consists partly of fully literate men and partly of selected illiterate or semi-literate men who have special qualifications as detectives, or long records of meritorious service. Class B consists of all constables not admitted to class A.

being used for this purpose. Columns nos. 1 to 14 will be filled up by the reserve inspector. Every recruit should be examined in *viva voce* by the gazetted officer holding the examination and the results should be recorded by that officer in column 15. The reserve inspector is generally responsible for the training of recruits. Recruits with less than six months' service may not be used for ordinary duties.

538. After passing the final recruits' examination recruits should be employed on practical work before being drafted to a particular branch of the service. They should be given instruction in the headquarters reserve and in town and rural police stations in all the duties of constables. After six months or at any subsequent time before they are confirmed they should be drafted into the branch of the service for which they are intended or appear to be best fitted.

When recruits have passed the recruits' examination and are allotted armed police duties, they are entitled to armed police allowance, so long as they continue to perform these duties; provided that this allowance may not be drawn for more than the sanctioned strength.

539. All recruits should be on probation for two years with the exception of recruits transferred to the mounted police regarding whom see paragraph 74. At the end of that period they will be confirmed by the Superintendent of Police, if their conduct and work have been satisfactory. During or at the end of that period the Superintendent of Police may dispense with the services of any man who seems unlikely to make a good police officer, but he must record his reasons and the recruit's explanation. His order will be final subject to the control of the Deputy Inspector-General:—

Provided that a sufficient number of qualified men are available, no constable who has not passed the examination prescribed in paragraph 523 shall be employed on clerical work.

A constable should not be employed on clerical work till he has had at least a year's experience of executive duties.

540. Buglers will be trained under the supervision of reserve inspectors of the large reserves. They may be enlisted in districts where their services are required or in districts where they can be trained. They will be constables of the armed police. For the training of trumpeters, see paragraph 76.

541. Every Monday all the police in the reserve lines shall parade for the inspection of their kits, arms, accoutrements, horses, saddlery, appointment certificates, and clothing and accoutrement books. The inspection shall be made by the senior gazetted officer present or by the reserve inspector.

On these occasions new departmental orders published in the *Police Gazette* or prescribed for the district, important changes in law and rules affecting the police and other similar matters should be explained to the men.

First aid to the injured.

542. Instruction in "First aid to the injured" is given by an assistant surgeon or sub-assistant surgeon at the headquarters of all districts.

Members of the force who have obtained certificates in "First aid" should be made to keep up their knowledge by practice and should be examined at all inspections of stations and in the lines. In small districts where there are not many recruits to be taught or when no class of recruits is being held, the men already qualified should receive further instruction; in large districts where a number of recruits are always under instruction, a gazetted officer should see that men already qualified practise in the lines.

Trained teachers in Lines Schools.

543. Trained teachers employed in district reserve lines schools will remain on probation for one year after appointment. During or at the end of this period any teacher whose work or conduct proves unsatisfactory will be returned to his original post under his municipal or district board. Teachers whose work and conduct while under probation have been satisfactory will be transferred permanently to the police, and will be subject to the ordinary pension and other rules for the police clerical staff. Service under a district or municipal board will count for leave, but not for police pension. Teachers not provided with Government quarters will be given a house-rent allowance.

544. When there is any demand for such instruction trained teachers posted to lines schools will give primary education to the children of constables, naiks, head constables, and sub-inspectors of the armed and mounted police and of constables, naiks, and head constables of the civil police posted in the reserve lines, as also to the children of head constables and constables of the Government Railway Police who are serving at district headquarters. Children of constables, naiks, and head constables of the civil police posted at the headquarters of the district outside the lines may also be allowed to receive instruction provided that this will not unduly increase the size of classes.

Classes should be held in the early mornings when trained teachers are not occupied in instructing recruits. Each teacher will take a class of not more than 16 children. No charge will be made for instruction and the instruction of children must not be allowed in any way to interfere with the training of recruits.

Superintendents of Police should see that children's classes are adequately supervised.

Observation classes.

545. Drill instructors who have undergone a course in observation at the Police Training School, Moradabad, should hold a daily class of instruction in observation for about three-quarters of an hour after the dismissal of the morning parade. All sub-inspectors, head constables and naiks of the armed police who are available in the lines and do not hold a certificate in observation should attend this class until they have qualified to the satisfaction of the Superintendent of Police.

CHAPTER XXXVIII.

DRILL AND MUSKETRY.

546. Drill in the police will be carried out as laid down in the Infantry and Cavalry training manuals for the time being in force in the Army.

547. All police officers have to learn drill when first appointed, and all, except prosecuting inspectors and prosecuting sub-inspectors are required to keep up their knowledge throughout their service.

548. Officers and men of the armed police and civil emergency reserve (paragraph 555) and all recruits will be instructed in squad, platoon, and company drill in close and extended order, company ceremonial, guard duties, and in the general principles of infantry attack and of fire direction, discipline and control, in so far as these principles are applicable to police operations for the suppression of disturbances and the rounding up of criminal gangs. In large districts battalion drill and ceremonial drill may also be practised.

549. Officers and men of the mounted police will be instructed in equitation, horse mastership, troop drill, and ceremonial, guard duties, the use of the sword and lance, and in the general principles of cavalry field operations in so far as they are useful to the police.

550. Circle inspectors and civil police sub-inspectors, head constables, and naiks who are no longer in the civil emergency reserve must know platoon drill and be able to conduct parades, take command of parties of police, post and relieve sentries and instruct their men in platoon drill, guard duties, street lining, carriage parking and in the use of batons, whistles, and dark lanterns.

551. Constables of the civil police who are no longer in the civil emergency reserve must know squad drill and the practical duties specified in paragraph 550.

552. Reserve inspectors and all officers of superior rank must be proficient in all the drill prescribed for all branches of the force.

553. Drill will be taught in the reserve lines under the supervision of the reserve inspector. ~~and armed police~~ ~~if there are two sub-inspectors of the armed police one of them~~ will be the drill instructor; if there is only one sub-inspector, a head constable of the armed police will be the drill instructor and the sub-inspector will supervise instruction under the general direction of the reserve inspector.

554. For the training of recruits in drill, see paragraph 535.

555. The civil emergency reserve is twelve times the strength of the Training Section, which is fixed for each district, and the most junior officers and men up to the seniority necessary to make up the strength of the civil emergency reserve will be liable for service with the Training Section. The names of all officers and men so liable will be borne, by ranks and according to length of service, on the civil emergency reserve training register (form no. 70) maintained by the reserve inspector. The names of probationary sub-inspectors and recruits will not be entered until they are confirmed.

556. Officers whose names are on the register will be regarded as a civil police reserve for the performance of armed police duties in emergency, and for this purpose must undergo a full month's training annually in the reserve lines. One-twelfth of the whole number on the register will ordinarily be called in every

month to form the training section which will be instructed in drill, school, musketry, field work and general smartness, but when it is necessary in exceptional circumstances to strengthen the police at headquarters the strength of the training section may be increased in any particular month, a corresponding reduction being made in a subsequent month.

On joining the training section every head constable, naik, and constable will be issued with an armed police turban fringe, a musket, a bayonet, a sling, and a bandolier, all of which will be taken from him when he returns to civil police duties. The section will parade under officers of the armed police; civil police sub-inspectors, head constables and naiks may not be deputed to instruct it. The efficiency to be aimed at should be that of the armed emergency reserve.

557. The training section may be used for ordinary duties only in very exceptional circumstances which must be reported to the Deputy Inspector-General of the Range.

In order to facilitate the carrying out of this order, and of the order forbidding the employment of unpassed recruits on armed police duties the Superintendent of Police may transfer any constable of the civil emergency reserve to the armed police for a period not exceeding six months at the end of his annual course in the training section.

558. Provision for the training section has been made in the allocation of every district to enable constables removed from other duties for training to be replaced, and men called in for training should be relieved as far as possible by men who have been trained. Constables of the training section receive armed duties allowance during the month of training.

559. On the first of ~~January~~^{of April} every year the reserve inspector will obtain the orders of the Superintendent of Police for the removal from the civil emergency reserve training register of the most senior officers and men who, in view of the confirmation of probationary sub-inspectors and ~~the completion of recruit course~~ recruits, during the previous year, are no longer liable for service in the training section. ~~The term of service for the civil emergency reserve will be from April 1 to March 31 of the year in which~~ ^{the completion of recruit course} ~~the completion of recruit course~~ ^{in which}

560. Superintendents of Police when not on tour shall at least once a week command a general parade of the force in the reserve lines and also attend a kit inspection in the lines or at the headquarters police station. They should frequently test the quality of the instruction given in the lines and at police stations. They should give written orders fixing days for the attendance of Assistant and Deputy Superintendents on parade in the lines, and at the headquarters police station. Thursday will be a holiday from drill.

561. The rules relating to musketry and revolver courses will be contained in a separate manual; until this is issued existing circulars must be followed.

Musketry and revolver practice must be carried out in the presence of a gazetted officer or the reserve inspector who will be personally responsible that all necessary precautions are taken against accidents, and for the accuracy of the score record.

CHAPTER XXXIX.

ARMED EMERGENCY RESERVE.

562. An emergency reserve of armed police is maintained in every district. Its strength is fixed for each district.

563. Service in the armed emergency reserve must be assigned by roster so as to pass every member of the armed police through the reserve in turn. The period of service should not exceed three months and should be fixed so that the relief of the reserve may coincide with the regular relief of tahsil guards. The reserve should be relieved *en bloc* but for special reasons the Superintendent may order a member of the reserve to serve in the reserve for a second consecutive period.

564. The Superintendent may assign men on leave to the reserve, but the proportion of such men must not exceed 11/85ths of the reserve. Leave may be granted to a member of the reserve only when it is very urgently needed on account of illness or specially urgent private affairs.

Recruits with not less than a year's service may be assigned to the reserve, but the proportion of such recruits must not exceed the actual proportion of recruits with not less than a year's service to the total sanctioned strength of the armed police.

When the total number of vacancies in the armed police exceeds 20 per cent. of the sanctioned strength and the number of recruits with less than one year's service exceeds the number of recruits with more than one year's service, recruits with more than one year's service may be regarded as efficient constables for the purpose of assignment to the reserve. Recruits with more than six months' service may then be posted to the reserve in the proportion specified in the first clause of this paragraph. Exceptional arrangements under this clause require the previous approval of the Deputy Inspector-General of the range.

565. When armed police are deputed for special duty in another district, they should be supplied from this reserve unless the officer who orders the deputation directs otherwise.

The reserve may be employed within the district on special dacoity duty, to keep order at fairs and other large gatherings, or to assist in preventing a serious breach of the peace. Detailed information of the employment of the reserve on such duty must be sent to the Deputy Inspector-General without delay. Permission to employ the reserve is restricted to special occasions but there is no objection to the employment of a portion of the reserve on night patrol duty at headquarters; this may be regarded as part of the ordinary training of the reserve and need not be reported to the Deputy Inspector-General.

566. Members of the reserve may not be employed on routine duty, such as guard or escort duty, unless the occasion is urgent and the requisite police cannot otherwise be provided. A call on the reserve should be avoided whenever civil police are available and can safely be employed, to supplement the armed police. Whenever any member of the reserve is employed on routine duty, the Superintendent must immediately send a detailed report to the Deputy Inspector-General explaining the reasons which made a call on the reserve unavoidable. If the

Superintendent is not at headquarters and if orders cannot be obtained from him before the members of the reserve are detailed for routine duty this report should be prepared and despatched by the senior officer at headquarters, who must submit a copy to the Superintendent.

567. The armed emergency reserve must, in each period of training, be put through a complete course in drill, musketry, observation, the duties of the armed police and elementary law and such other portion of the lines school curriculum as the Superintendent considers suitable.

APPENDIX I.

List of Registers and file books to be maintained at police stations.

No.	Name of Register.	No. of form.	Period of retention.	Paragraph referred and remarks.
1	Absconded offenders ..	214	Five years	202
2	Absconders not yet on provincial list—file book of intimations regarding.	..	One year for each intimation.	
3	Births	Sanitary form 5.	Two years at police station then to be sent to Magistrates' office for record.	306
4	Cash book	224	Ten years (one year at police station and then in office of Superintendent of Police).	285
5	Cattle sales..	54	To be sent to headquarters within three months of completion.	169
6	Cattle strays	188	Three years	165
7	Charge sheet	339	One year	111
6	Charge sheet under section 34, Police Act, where applicable.	21	Ditto.	
9	Cheque books for recoupment of imprest for diet money, etc.	11	Three years	290
10	Circular notice, file of ..	..	Until destruction ordered by a Gazetted Officer.	
11	Circular instructors (hidayat), file of.	..	Ditto.	
12	Conditionally released prisoners under section 401, Criminal Procedure Code.	185	Complete registers to be destroyed when terms of all persons have expired.	259
13	Convicts subject to order under section 363, Criminal Procedure Code.	184	Ditto	258
14	Confidential weekly diary, file of ..	Blank sheets.	One year.	
15	Crime register ..	170	Five years	88
16	Crime record book (village chaukidars').	308	To remain in keeping of chaukidar till replaced by a new copy when it will be destroyed.	82, 228 and 446
17	(Village) Crime note-book ..	14	Permanent	207
18	Criminal tribes register sheets ..	365	Till death	Criminal Tribes Manual.
19	Criminal Tribes Act, list of registered persons under rule 4(a).	188	One year after renewal	Ditto.
20	Criminal Tribes, short leave passes for members of.	212	One year	Ditto.
21	Deaths	Sanitary form no. 1.	Vide "Births"	406
22	Defaulter	277	One year after completion	450
23	Diary case	342	Five years	96
24	Diary general	217	Five years, one at station, then in office of Superintendent of Police.	278
25	Final reports, under section 178, Criminal Procedure Code.	340	One year	111
26	Finger print	146	Permanent	42 and 43, Finger Print Manual.
27	First information report for cognizable crime.	341	One year	87
28	Ditto non-cognizable	347	Ditto	9
29	Gang register	45	Five years after completion	23

No	Name of Register.	No. of form.	Period of retention.	Paragraph referred and remarks.
30	Imprest account for repairs ..	197	Two years	Copy of account submitted to office of Supdt. of Police.
31	Index of inquiry slips A ..	204	Three years	241-8
32	Index of inquiry slips B ..	205	Ditto	251-7
33	Index of history sheets	Permanent	232
34	Inquest reports ..	211	One year	121
35	Inspection book (English) ..	35	Five years	284
36	Inspection book (Urdu) ..	35(a)	Ditto	284
37	Inspection book for magistrates ..	Blank book	Five years after completion.	
38	Invoice of papers ..	266	One year	49 O. M.
39	Orders for arrest under section 56, Criminal Procedure Code.	6	Ditto	134
40	Proceedings under section 109, Criminal Procedure Code.	5(a)	Two years.	
41	Proceedings under section 120, Criminal Procedure Code.	5	Ditto	227
42	Property stolen and recovered ..	173	Five years	88
43	Property, stolen, of other police stations, orders regarding, file of.	..	Ditto.	
44	Reward sheet ..	202	One year	110
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List of Reports and returns to be submitted from police stations.

No.	Name of report or return.	Date of submission.	No. of form.	Remarks and reference.
Daily.				
1	Crime abstract of general diary ..	..	195	To be sent if any crime to report.
2	Outbreak of epidemics .. As necessary	..	210, 210(a)	Section 306.
Weekly.				
1	Confidential diary ..	To reach Superintendent of Police on Saturday	Blank sheets	
Monthly.				
1	Acquittance rolls of provincial police.	To reach Superintendent of Police on 25th of each month.	191	Section 201, Office Manual.
2	Acquittance rolls of chaukidars.	Ditto ..	346	Ditto.
3	Memo. of cheques issued for diet, etc., charge.	First of the month	194	Section 201, Police Regulation.
4	Return of births and deaths	To reach Superintendent of Police on 1st of the month.	Sanitary & 6, & 6(a) & 1 & 2.	Section 306, Police Regulations.
5	Crime returns ..	In accordance with Range Orders.	Blank sheets.	For preparation of periodical reports of Superintendent of Police.
6	List of active criminals ..	Ditto	Ditto	
7	Statement of travelling allowance applications.	To reach Superintendent of Police on 10th, 20th and 30th of each month.	199	
Quarterly.				
1	Statement of deaths of persons on the Finger Print Register.	1st of January, April, July and October.	Blank sheets.	
Half-yearly.				
1	Statement of charges in persons whose history sheets have been prepared.	1st January and 1st July ..	Ditto.	
Yearly.				
1	Report on number of times the station was inspected by each officer during year ending 19th March.	20th March	Ditto ..	Section 270
2	List of Government property with explanation of articles added to or struck off from last year's list.	3rd January ..	251	
3	All statements and returns required for annual report, vide instructions published annually in <i>Police Gazette</i> .	To reach Superintendent of Police by 5th January.	..	

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